

# Popular Threads on Solosez

## Billing Low Bono Clients

Does anyone on the list accept low bono clients (i.e. billing clients at a reduced rate, v. pro bono; practice aimed at assisting those low to middle income clients who cannot afford to pay the standard price)? If so, what criteria do you use to determine who will be billed at the low bono rate and who will be billed at your standard rate?

Any thoughts would be appreciated.

Thanks- Quesiyah Ali

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I have done that involuntarily many times. I either handle pro bono work that is referred from the local legal aid office or I charge clients regular rates.

Robert W. "Robby" Hughes, Jr., Stone Mountain, Georgia

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I guess I compare the need and ability of the low bono, based on what they say. Sometimes, there are arresting developments. For instance, I recently had a call from a PRO BONO client who wanted help in reducing the repair bill for his projection TV.

I don't own one, have never been in a home that had one, did not expect my pro bono client to have one--let alone incur a \$500 repair bill.

Low bono, pro bono, do what you feel is right, Don't worry if someone takes advantage of you. That's on them.

John Page, Florida

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I receive numerous court appointments in probate which may end up being totally or slightly "pro bono". So, I do not encourage these cases because I can't afford it. If I take something for someone without funds and as a favor to someone, I always try to charge enough to cover my costs and perhaps a teeny bit more. It's related to the money involved, the assets of the person, the time to be spent, etc. I do not believe that people should be allowed to not pay anything for help from another. Oftentimes, they caused their predicament, at least in some fashion. I do not take cases which would cost more to litigate than to settle.

Lynne R. Ostfeld, Chicago, Illinois

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I accept sliding scale clients and give a reduced rate based upon household income. I use the guidelines I found on a local non-profit's website as a base to determine who qualifies. Using those guidelines, I developed a



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scale of rates, rather than just one reduced rate. There are definitely plenty of "low bono" folks out there who need someone to assist them - good luck!

Lynette A. Whitfield, Rockville, Maryland

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I am just starting my practice so I do have a little free time and every client helps me learn new aspects of either bankruptcy or law. Because of this, I do take some "low bono" cases (I like the name -- hadn't heard that before!)

One is a caretaker at my son's daycare -- she has a small legal situation I would gladly work on for free, but she feels more comfortable paying so I am going to make a small bill for her if we do not get legal fees paid for by the opposing side (which we probably will.)

The other is a family that wanted to do a bankruptcy but it took so long for them to save the money for legal fees -- I am going to help them out by letting them file with only a small payment. The husband had a strong disability discrimination claim but sadly had blown the SOL before seeing me, so that is part of the reason I really felt for this family. They have a ton of tax debt and need to file soon to avoid garnishment, otherwise I might have just let them save up and pay me payments for a few more months.

I have had other people come in and not be able to afford even my low costs and I sent them to legal aid. I guess the difference is these "low bono" cases are people who theoretically make enough to pay for an attorney but actually, because of health costs or other reasons, do not have the money. I think there is definitely a lack of legal services for the lower-paid wage-earners and while there are no awards or commendations for "low bono" cases, it is a valuable community service.

Finally, I know of at least one attorney who has made a living offering pretty much only this type of services. He practices in my old neighborhood where no one has any money (well, now a few hipsters live there with some cash, but that is very recent) and he works as a neighborhood lawyer with a sliding scale. He seems super successful in the way that few attorneys I know are -- and by that I mean he really seems to love his job and his life!

Amy Kleinpeter, Pasadena, California

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I echo John's "startled observation" as to the fact that one will encounter, perhaps more than once, a client who claims to not be able to pay anything for legal representation, but who can afford to purchase a variety of luxury items and services. Sure, these people still may not be able to pay full freight, but if they have \$5,000 of disposable income, they need to make a choice: buy a plasma tv, or pay my lawyer something for his time and expenses. IMHO, those who choose to spend the \$5,000 on the plasma tv and then request free legal help are those who don't appreciate your services (and therefore don't work with you and don't help their own cases), because hey, its free.

There's a point here: charging clients something, even if it isn't your full rate, and even if its a token amount, is absolutely essential, in order to create a healthy attorney-client relationship. When a client has to make a deliberate economic sacrifice, no matter the objective amount, but so long as it is a sacrifice relative to their income, they are going to bring cases and defend positions they believe to have merit, and they will help you in your job to do so. They will have pride in their case, themselves, and you, \*their lawyer.\*

Bottom line: those clients entitled to completely free legal representation should only be those who would have to sacrifice essentials to obtain legal help (food, clothing, shelter, medical care) and not those who would have to sacrifice a new gadget or spa treatments.

-Dave Galalis

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I understand the "low bono" fee to your son's daycare provider. However, if payment of your legal fees by the other side was ordered, wouldn't you be stuck just getting paid the "low bono" rather than your full fee?

Deb Matthews

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I am tracking my time and will file a motion for attorneys fees (assuming we win) based on that and based on comparable rates of local attorneys with my experience and blah blah blah.

If I bill my client, I will cut about 2/3 of that time off and only charge her a low hourly fee -- way below market rate. And I won't bill her until we are done, so the reduced rate will never be written unless it is charged.

My client has been told not to worry about fees, but she wanted to pay if I don't get attorneys fees so I told her we would "work something out" at that time. I honestly would have done this one no charge as it is a worthy case (she is in her 60's and being evicted after 35 years in the same apartment...there is more to the story, but that is why I really feel for her.)

Amy Kleinpeter

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Charging a low fee, something that the client afford, even if it is only \$10 or \$20 per hour is something that I do. It changes the equation. It lets the client retain some dignity. They are not getting it for free because they are destitute even though they may be, they are paying for it. It gets them invested with the process. They are paying for it so it is important to them. Also, they will be a bit less free to call or ask you to do things if they know that they will be billed for it. From your point of view, they don't make unreasonable demands so you don't reach the point where they annoy you with unreasonable items. This happens when they are not paying for it.

Marc Stern

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