

Billing Rates for Different Matters?

Does anyone use different billing rates for their unrelated practice areas?

One rate for matrimonial matters and a different rate for criminal, for example?

Not for private clients, but I have several different rates depending on who is paying the bill. I have my private rate, the rate paid by the state for the indigent criminal defense contract I have, the rate at which I represent union members and get paid by the union's prepaid legal plan, and the rate I charge to victims of domestic violence through a state low bono program (grant-funded, free to client).

Clio manages them all swimmingly.

Monica Elkinton, Alaska

Yes. We have a standard new matter rate for new clients. We have another rate for certain commercial institutional clients, yet another for certain non-profit institutional clients, another (actually several) for local government clients.

David Masters, Colorado

I use different billing rates depending on what I'm doing. Routine probates, one billing rate; probate litigation, different, higher rate.

There's different skill set involved, and different tasks. "Routine" probates, while I can't say could be done by anyone, are, eh, routine. Litigation, on the other hand, particularly in probate, involves much higher skill set; even lawyers who are "board certified civil trial" attorneys don't necessarily know what they're doing in probate litigation; and of course, there's a difference between drafting a notice to creditors in regular probate and drafting a reply to memorandum of law in probate litigation. I try to stay 'competitive' in the routine probates and not price myself out of the market; the litigation, on the other hand, you really need to know what you are doing and I charge accordingly.

Ronald Jones, Florida

I use a different rate for my probate practice than my civil litigation practice. Probate, being more specialized, commands a higher hourly rate.

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

I offer hourly rate discounts to veterans. I never asked the Bar if that was OK though. But I doubt if they'd have a problem. I've never read that you must charge the same rates all the time for everyone. I also have lowered them if I really, really believed in the case and wanted to fight it and the client was poor. But I don't normally like to do that.

Sterling L. DeRamus, Alabama

Yes I do fix rates for criminal and hourly for most everything else.

Next year I'm changing the hourly rate based on whether or not the client has a retainer balance.

John Davidson, Pennsylvania

Thank you all. What I want to do as well really is set flat fees+. Meaning, I'll have a consultation with the client and establish a fair and reasonable and profitable fee. But then also have in my retainer, and explain to the client, that if the work goes beyond what we just discussed, than they'll pay an additional fee by the hour for the extra time it takes

me to do the work. I've had people come in the second time and 180 degrees change their beneficiaries and amounts and agents, etc. Really, the documents have to be redrafted almost from scratch. Or, they come in and say, I know when I was here last time you explained to me how this trust works. Can you explain it again, please, and put it in writing? I want to cover myself from that.

Rick Bryan, New York
