

Alan Banov and Associates

1100 Wayne Avenue
Suite 900
Silver Spring, MD 20910

Client Information: Financial and Payment Information

For individual clients in employment cases, the initial consultation fee is \$350 per hour (\$360/hour as of Jan. 1, 2014), payable at the end of the consultation, by cash, credit card, or check. While some lawyers, notably those who handle personal injury cases, do not charge for initial consultations, Alan Banov and Associates does charge, for good reasons. We spend time in-depth to learn about your case so that we can give you solid advice about whether you have a good case and should hire us to pursue it and so we are prepared to represent you that very day (time permitting) if you decide you want to hire us. Also, at the end of the consultation we will give you a written summary of your case, its apparent merits, recommendations for next steps, and fee estimates.

Retainer and Fee Agreements

For any services of a substantial nature, when the client decides to hire us, we require payment of a retainer or fee advance (the amount depending mostly on how much work we are expected to perform in the future, and we will prepare a written fee agreement for you to consider.

Fee advances are placed in a special account (called a Trust Account) and are drawn upon as the client incurs fees and expenses. The money is the client's until the work is done; if we do not need the entire fee advance, the balance will be returned to the client at the end of our representation. The fee agreement will provide that, after paying the retainer, the client will make monthly payments to us, usually starting the month after paying the fee advance and generally by the tenth of each month.

In almost all (probably 99.9%) of our cases, we charge the client by the hour for our legal services. When we do, we keep track of our time and bill clients at an hourly rate, generally in increments of one tenth (0.1) of an hour. The hourly rate will be quoted to the prospective client on the phone and will be included in the memorandum the client will receive at the end of the first consultation. The rates we charge (currently \$390/hour for Mr. Banov and \$170/hour for Stephanie Rapp) will also be stated in our Fee Agreement. (Note: each year we raise our rates because our costs increase and we are more and more experienced and can work more efficiently than we have in the past.)

Under our agreements, the client will be billed monthly for our services and expenses. The bills will show which attorney did what particular work, the amount of time spent for each service, the amounts paid by the client during the month, the balance in the client's account (if any), and any amounts due from the client. We usually send the statements out right after the first of each month.

Expenses

We pass onto our clients the costs of representing them, including the following:

- postage (at actual cost)
- copies (at cost or at 15 cents each for copies made in the office)
- transportation (at cost and auto at 55 cents/mile)
- court filing fees (ranging from \$5 to \$450)
- LEXIS on-line legal research (at approx. cost)

- service of process (where applicable)
- deposition transcripts

You may have none of these costs, or you may have more costs in one area than another. You are certainly welcome to defray costs, such as doing your own copying.

Contingent Fee Agreements

A contingency fee agreement is one which says that the client does not have to pay for our legal services unless and until there is an award of money made to the client by the opposing party. Such agreements stipulate that the lawyer would receive an agreed-upon share (1/4, 1/3, or possibly more) of the client's recovery, in compensation for services rendered.

Contingency fee agreements are commonplace in personal injury cases (auto accidents, slip and fall cases, etc.), especially when it is clear that the other party was liable for negligence. They are rarer in employment cases. Because liability is not often clear in employment cases, Alan Banov & Associates hardly ever represents clients in them on a contingent-fee basis.

Even in contingency-fee cases, the client still must pay for the expenses of the case. In court cases, these include court filing fees, process servers, and deposition transcripts.

Payment Options

For payment of fees, including retainers, Alan Banov & Associates accepts cash, checks, money orders, and credit cards (American Express, MasterCard, Discover, and Visa).

Monthly payments can be made through payroll deduction (if your company participates in such a plan) and, shortly, can be automatically charged to your credit card.

Answers to Frequently Asked Questions

Q. After I pay the retainer, how are fees and costs paid?

A. Initially, fees and costs are paid from the client's deposit in the Trust Account. Assuming the agreement provides thereafter for monthly payments, those payments are credited towards the client's account. Later, if there are any unpaid expenses when an award or settlement is received, these are taken out of the client's share of the award.

Q. How will I be charged for research?

A. Library research, on-line research, and etc., will be billed at the attorney's hourly rate. No charge will be made for travel to and from a remote library. If we use LEXIS on-line research, we charge the client the approximate cost of that research as billed to us by LEXIS.

Q. If I am being charged by the hour, will I be charged for speaking to my attorney on the telephone?

A. Yes, assuming that the attorney spends at least three minutes on the call and the conversation is considered productive to the client's case. No matter who initiates the call, the client will be charged at the agreed-upon hourly rate for the conversation. No charge will be made if the total time spent on calls in any one day is less than one tenth (0.1) of an hour.

Q. Will I be charged for other calls made by the attorney concerning my case?

A. Yes, calls by attorneys to other individuals connected with the case (attorneys, witnesses, administrative or court personnel, etc.) will be charged at the hourly rate.

Q. How will I be charged for time spent drafting documents?

A. Sometimes we compose documents by hand and our secretary types them in the word processing program. Sometimes our attorneys create documents directly in the word processing program on their computers. Either way, you will be charged at the agreed hourly rate. For some documents, when we may have a basic form or model pleading on file in the computer, this greatly reduces drafting time as the attorney has only to select the relevant passages, and then customize them to the client's particular needs.

Q. How will I be charged for time spent by my attorney traveling away from the office on my behalf?

A. Time spent in traveling away from the office, such as to depositions, court proceedings, or agencies, is charged at the hourly rate for short distances. We need to do that because if we were not traveling, we would be performing legal services for you or some other client. For the same reason, we have to charge for our time spent waiting