

Time is relative

You hold the cards when it comes to billing

Before I get started, I am a lawyer. And, as a lawyer, I am often subject to snide remarks and expressions of distaste whenever I reveal what I do for a living. For, unless you have been living under a rock for the past 100 years or so (or you are a lawyer living in denial), you would be abundantly aware that lawyers are about as popular as used car salesmen, parking inspectors and cockroaches.

Unfortunately, this has quite a bit to do with the fact that some lawyers cannot seem to move beyond the traditional comfort of time billing to measure the value of their services, despite the fact that it is this very method of billing that has attracted the wrath of the general public for many a year, and made lawyers the butt of many a joke.

With today's technology and the superior resources that are available to modern law firms, you no longer have to accept that time billing is the only way in which a lawyer's services can be measured. Billing models do exist, which allow a client to obtain some costs certainty before riding the legal rollercoaster.

For example, there is no reason why lawyers cannot offer fixed costs for a wide range of commercial agreements and advices, or incremental fixed costs for most forms of litigation. In fact, you may even have the option of a fixed monthly retainer, which would give you the ability to accurately forecast your legal costs in any given period.

Further, there is no reason why the determination of legal costs should be solely the province of the lawyer. The cost of legal services should be something far more collaborative. After all, you are conducting a commercial enterprise and you have the right to assess your potential liability for legal expense.

Each time you engage your lawyer make sure that you do not hesitate to ask the hard questions about the billing process and the conduct of your matter, like:

1. How do you propose to bill me for the service you perform?
2. Will you rely on time costing?
3. Who will be working on my matters and what is their hourly rate?
4. Do they have a lot of experience in these types of matters? If so, why can't a fixed fee be applicable to the service?
5. Will I be charged for the review of junior lawyers' work?
6. Will the conduct of my matters be delayed as the person performing the work is not authorised to sign off on it?

If you are interested in discussing innovative billing models that may be more suitable to your business, please do not hesitate to contact me on (07) 3234 3130 or email me at rob@anderssens.com.au.



[Rob Grealy](#) LL.B
Special Counsel
Commercial Dispute Resolution
Anderssen Lawyers

Phone: 07 3234 3130

Email: rob@anderssens.com.au

DISCLAIMER: *This content is intended only to provide a summary and general overview on matters of interest. It is not intended to be comprehensive nor does it constitute legal advice. We attempt to ensure that the Content is current but we do not guarantee its currency. You should seek legal or other professional advice before acting or relying on any of the Content. Your use of this publication or the receipt of any information from Anderssen Lawyers is not intended to create nor does it create a solicitor-client relationship between you and Anderssen Lawyers.*