

LEGAL FEES – DO NOT BE AFRAID

The biggest fear the public have of lawyers is that of legal fees.

In some matters it is the case that legal fees will run into the tens of thousands of dollars. However, that is usually only the case where a matter is being litigated. Unfortunately, some times litigation is unavoidable and necessary. However, in many instances litigation only takes place because either one, or both of the parties are being unreasonable and unrealistic as to their entitlements. In such cases, the parties themselves need to take responsibility for the fact that they are unnecessarily spending thousands of dollars in litigation.

The reality is that most matters do not go down the path of litigation. The cost of running those matters is usually not as expensive as people think.

Most lawyers charge at an hourly rate. If you retain an accredited family law specialist, although your lawyer's hourly rate may be higher than a solicitor who practises in many areas of law, you will find that your specialist is quicker and more efficient in undertaking what is needed on your behalf, and that therefore, the cost is most likely to end up being the same as if you were to retain a solicitor who did not specialise in family law (as it would most likely take that solicitor longer in time to undertake the work you need on your file).

Some firms also charge a fixed fee for preparing documents such as Consent Order documents. Our experience at Oner Family Law is that many separated couples reach agreement between them quite amicably, or throughout a mediation process on both child and property issues. One of the parties will then come in to see us and seek our assistance in properly documenting the agreement reached by way of Consent Orders. In this type of situation, where no negotiation is required by us on behalf of the client, and where our role is only to document the agreement reached, at Oner Family Law we would charge a fixed fee to prepare the Consent Order documents.

If you are sensible in how you choose to run your family law matter, and if you take your solicitor's advice as to what concessions you should make so that you can move towards a resolution with your former partner, the cost of running your matter should be modest and most likely a lot less than what you would anticipate the cost to be.

To further ease your mind with regards to fees, when retaining a lawyer, make sure you are advised of your potential costs moving forward at your first consultation with the lawyer. Your lawyer should also advise you throughout your matter whether your fees are likely to increase beyond the estimate you were initially advised of. This usually happens where an unanticipated "blow up" occurs on your file.

Do not be scared to ask your lawyer very specific questions about how he/she charges. If you and your lawyer have open communication on the issue of fees, you will not be disappointed, as you will know what to expect with regards to payment of fees throughout your matter.

Oner Family Law can assist with all your family law needs. Contact us for more information.