

## **Unbundled Legal Service Providers Tips**

### **Experience:**

- Stay within your area of expertise
- Make sure it's an area where you can predict accurately how long it will take
- Be sure the scope of work is clearly understood by all parties
- Do not offer it unless you can accommodate people's timing needs.
- Can't be done efficiently unless lawyer is well-acquainted with subject matter.
- Be familiar with self help forms.

### **Financial:**

- Helpful to take credit cards
- If fees go over \$500, have a fee agreement signed
- Get paid in full before doing any work
- Make sure there is Professional Liability insurance
- Absolutely ask for the money upfront when they arrive, even if you've told someone what the charges are, payment expected at time of visit, etc. It happens often enough that a potential client arrives without the funds to pay for services and it's not as if we call the police if they get advice and then leave without paying.
- Take Visa payments.
- Be clear with your client that there is no entry of appearance entered without an amended fee agreement.
- Define the fee up front.
- Fully discuss fees before each phase of work.
- Require some payment in advance, even if you are not charging a flat fee.
- Remind unbundled clients that calling to discuss issues also costs them fees.
- Be clear about costs/potential costs.

### **Client Preparation:**

- Let clients choose the way to proceed, if possible
- Make sure the client understand the limited nature of representation
- Determine as soon as possible if case is appropriate, and do not review agreements if clients refuse to provide backup material
- Endeavor to fairly estimate the amount of time and fees involved and make sure the client understands
- Make sure client understands that you are not representing them in the matter in court
- Hold clients to agreement to provide a limited service
- Have people sign an unbundled services agreement so they know they cannot (or should not) just keep calling afterwards for more and more advice
- Give potential client the choice between bundled and unbundled legal services, explain the difference.
- Make sure people understand risks of whatever course of action they decide to undertake.

**Attorney Preparation:**

- Be willing to provide free consultations
- Marketing is always key
- Be prepared to donate quite a bit of free time to the initial consultations
- Be clear on exactly what you are offering, and the cost
- Make sure you have a clear retainer agreement specifying exactly what the attorney is responsible for; if you can't do this, you haven't defined your role adequately
- Make sure you have a client that can handle self-representation
- FULLY analyse their case and offer tactics on an initial contact which means in family law, you must spend enough time with them
- Do what you say you are going to do
- It can result in conflicting you out of bigger work related to that case so be aware of the possibility.
- Have an unbundled legal services retainer available.
- Prepare and always use written agreements ahead of time.
- Be prepared to educate your client on the parameters of your service.
- Clearly define tasks with client before signing and engagement letter and modify this list as tasks change.
- Confirm scope in writing.
- What the lawyer actually has done and not done should be well-documented to client.
- Be clear about service offered.

**Other:**

- Listen to the client and find out what they really want
- Treat clients as you would your retained client
- Learn to say no to the client who keeps coming back for more than was agreed to and uses hours and hours of time
- Explain "Limited Entry" option.
- Think outside the box.