

Assessing Your Legal Bill

As Committee of Estate, one of your first responsibilities will be to pay for the legal services your lawyer performed to have you appointed. If the application was contested, the estate may be required to pay the legal account of the contesting parties. At some point, it may also be necessary for you to retain a lawyer to represent the adult for whom you are committee. Prior to paying for any legal services, you should review all bills and invoices to ensure that the amounts you are being charged are reasonable and appropriate and that the adult's estate is required to pay the account. This fact sheet provides some guidelines to assist you with assessing your legal services bill.

- When you first hired the lawyer, you should have entered into a written agreement (“the retainer”) that defined the work to be done by the lawyer, services to be provided by other lawyers or legal assistants in the firm, and an estimated cost of legal fees, disbursements and applicable taxes. Before making any payment, thoroughly review the lawyer’s bill to ensure that the detailed information about services provided corresponds to what you agreed on when you hired the lawyer and that the amounts charged are reasonable. Accounts will be higher if the matter was contested.
- If you have concerns about the bill, you should discuss it with the lawyer. If, after discussion, you are still not satisfied, you may have the account reviewed or assessed before the Registrar of the Court. This process is known as taxation. A list of Court Registries is available at <http://www.courts.gov.bc.ca>. You should be aware, however, that there may be additional legal costs associated with this taxation process.
- On a hearing to assess costs, the Registrar considers several issues. These items include:
 - complexity of the issues involved
 - skill and specialized knowledge and responsibility required of the lawyer
 - lawyer’s character and standing in the profession
 - amount involved
 - time reasonably spent
 - importance of the matter to the adult
 - results obtained

The Registrar will also consider whether or not all disbursements were reasonably necessary.

- A legal services bill must be reviewed within certain statutory time limits. It is recommended that you check the *Legal Professions Act* to ascertain the time frame within which a legal bill may be challenged.
- If you require assistance in selecting a lawyer in your area, the Lawyer Referral Service is a useful resource. They may be contacted at 604-687-3221 or 1-800-663-1919. Dial-A-Law(1-800-565-5297) also provides useful recorded information.

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