



# Client Handbook

## Client Communications Policy

Robinson Law uses the following methods to communicate directly with clients: secured portal, email, text messaging, telephone, voice mail, fax, letter, and in-person meetings. In addition, when out of the office, our attorneys are able to communicate with the office through secured portal messaging, text, email, and cell phone. Cristal Robinson uses fax and letters as the last resort along with in-person meetings for crucial issues. See the billing policy and legal services agreement for charges.

Our desire is to make it as convenient as possible to respond to our client's needs and concerns in a timely manner. Mrs. Robinson would love to be available to personally receive every client call. Unfortunately, because of appointments, seminars, and court appearances outside the office, client appointments inside the office, and the solitary time required to perform important client work, Mrs. Robinson is not always available to personally respond when clients call.

However, our well-trained staff is able to handle most routine matters and inquiries, and for those matters requiring an attorney, Mrs. Robinson tries to return all client calls on the same business day or the following day, between the hours of 4:30 p.m. and 5:30 p.m.

Usually, a Robinson Law staff member will be able to address your concerns and provide the information you request. Feel free to discuss your concerns with any of the staff at Robinson Law. Your call will always be held in the strictest confidence. Our team members will do their best to assist you. If your call requires a lawyer, your message will be passed on to Mrs. Robinson for a prompt reply. Generally, calls are only returned by Mrs. Robinson after 4:30 p.m. each day.

### Secured Portal

Robinson Law uses a secured portal named MyCase to correspond with clients who have an email and access to the internet. Someone from the firm will respond to all messages within 24 hours. However, we may not be able to answer your question within those 24 hours, especially if it requires some research. For those matters not billed as flat fees, all portal messages will be billed the same as phone calls. The portal is checked throughout the day. The portal is treated with more urgency than other communication methods. Mrs. Robinson can read and respond to text messages while out of the office. Client Portal Guide for Clients Video is located <https://www.youtube.com/watch?v=GJe3bYUp8N4>.

### Email

Robinson Law uses e-mail to correspond with clients who prefer to use e-mail. Someone from the firm will respond to all e-mails within 24 hours. However, we may not be able to answer your question within those 24 hours, especially if it requires some research. For those matters not billed as flat fees, all e-mails will be billed the same as phone calls. Email is checked throughout the day, but never less than twice each day, once at the beginning of the day, and once at the end of the day. Emails are treated with more urgency than other communication methods. Mrs. Robinson can read and respond to emails while out of the office. We recommend that you place your name or case name into the subject.

### Text messaging

Robinson Law uses text messaging to correspond with clients who prefer to use text. Someone from the firm will respond to all text within 24 hours. However, we may not be able to answer your question within those 24 hours, especially if it requires some research. For those matters not billed as flat fees, all text will be billed the same as phone calls. Text is checked throughout the day, but never less than twice each day, once at the beginning of the day, and once at the end of the day. Text are treated with more urgency than other communication methods, such as fax and letter. Mrs. Robinson can read and respond to text messages while out of the office. We recommend that you state your name in the first text since Mrs. Robinson or the staff does not know your cell phone number by memory.

### Voice Mail

Voice mail is checked throughout the day. If your call is answered by voice mail during normal business hours of 8:30 a.m. to 12:00 p.m. or 1:00 p.m. to 5:00 p.m., chances are that all lines were busy and a staff member will return your call within the hour. Our staff is generally at lunch between the hours of 12:00 p.m. and 1:00 p.m., and promptly checks messages upon their return.

### Privacy

Although every effort is made to ensure electronic privacy, we suggest that clients not send any questions that may be sensitive or confidential via e-mail or text messaging. Cristal Robinson will send confidential information, such as documents, messages, and via the secured portal.

#### Urgent Communication

Robinson Law will use your preferred way of communication, but we ask that you not use fax or letter for any urgent communications, as we cannot ensure that it will be received timely. If you need to contact us or get important information to us immediately, contact us by phone.

#### Timeliness

For those calls requiring action by an attorney, Cristal Robinson will make every effort to return your call on the same day after 4:30 p.m. However, there are times, often due to urgent client matters or trials, when she is unable to respond that quickly. The staff will do their best to inform you of these times. Please be patient and know that some client matters require uninterrupted and continuous attention, and Mrs. Robinson will occasionally be unavailable for extended periods while handling such matters, just as she will be unavailable to other clients when he is handling your important matters. We appreciate your understanding when such times arise.

#### Clients

This policy applies only to those who have retained the services of Robinson Law. Communications of prospective clients and those making general firm inquiries should not expect to be contacted on the same day, and will be responded to only when we are able to do so.

#### Opposing Counsel, Clerks, and Judges

Robinson Law's policy is to forward all opposing counsel, clerks, or Judges to Mrs. Robinson, but she is not always available to personally answer.

Robinson Law can provide access to the secure portal or link documents by Dropbox. Mrs. Robinson recommends that you enter the case name and issue in the subject of emails and your name in the first text message. If Mrs. Robinson or staff have not responded to you within 24 hours, please call to confirm receipt of message.

### **Billing Policy and Practices**

Robinson Law's legal billing system is established to allocate fairly the cost of providing legal services. Billing information provides both staff and the client with a management tool and information concerning the legal work provided. The invoice includes a description of the legal work being performed, the time spent on the work, and the dollar amount being charged.

Billings are the total of all professional staff hours worked at the applicable billing rates, plus any direct costs related to specific matters. Staff hours include all time that is related to the provision of legal services to specific agencies and programs.

#### Hourly Rates

Rates charged for professional staff time are based on actual costs of personnel, services and supplies, and other overhead. The rates pay for the time of the person rendering the service as well as clerical support, coordination and support systems (such as computers and law libraries) necessary to provide the service. These rates are similar to rates charged by comparable private laws.

Rates Effective January 1, 2016

- Attorney           \$300 per hour or \$350 for litigation hours
- Senior Paralegal   \$125 per hour
- Junior Paralegal   \$100 per hour
- Investigator       \$65 per hour
- \*Clerical           \$25 per hour

In limited circumstances, Robinson Law provides clerical assistance and bills the client at the rate of \$25 per hour after the first 2 hours spent on a matter.

#### How Legal Work Becomes an Invoice

When legal services involving more than a few hours of work are initiated, the attorney involved will have a matter number assigned to the project. Matters requiring less than a few hours of work may be billed to a "general" or "miscellaneous" matter number specific to a client. The matters are then set up in MyCase and Dropbox.

As attorneys and other professional staff work on a client's matter, they enter the actual time worked, the designated matter name, and a brief description of the tasks performed into an automated time tracking system. Each billing cycle the time entered into this system is transferred to the invoice.

When an invoice is generated, the hours worked are accumulated by matter number. The hourly rate for each classification of staff who worked on the issue is multiplied by the number of hours worked to obtain the amount to be charged. This is listed on the invoice as Total Fees. In addition, a detailed listing of expenses pertaining to a matter will appear on the invoice. The hours and expenses listed on an invoice include only items that have not been previously billed.

Client's receive monthly billings or bills a couple weeks before a final event like a trial to be paid before the matter is finalized. Ordinarily, the monthly invoice will include only billings for work done in the prior month. Occasionally, time entry will be delayed and an invoice will include work for an earlier period.

#### Expenses and Other Costs

Expenses are billed only if they are incurred directly as part of a legal matter. These may include copy costs, court costs, witness fees, mileage, arbitrator's fees, online legal research, professional services contracts with specialists, and delivery services. Costs recovered, such as those from canceled witness fees, will be shown as credits to the agency.

#### Lexis or Westlaw

Included in the expenses above are costs for the use of a research service called Lexis or Westlaw. This is a service that allows electronic research of statutes and court decisions. With this capability, research can be performed more efficiently and thoroughly. In many cases, Lexis research is done by law clerks or paralegals under the supervision of legal counsel. The use of non-attorney personnel for this work reduces the hourly rate and overall cost for state agencies.

#### Legal Personnel's Time

The following points reflect internal policies related to billing time. Please note that legal personnel's time directly related to an agency matter will be billed to the client. For example, a phone call may take ten minutes, but the billing will include the time to write notes from the call to the file and enter the call into the billing system. Every effort has been made to automate those functions as much as possible to reduce billed time. Total time will be rounded up to the nearest .2 hour (12 minutes). You will be charged for the following items:

1. The time it takes to open and close files and enter necessary billing information into the billing system.
2. Research, including professional reading directly related to a legal issue or a specific matter for the client agency.
3. Legal personnel's attendance at continuing legal education programs, but only with prior approval of the client agency.

4. Time spent traveling to the agency's location or traveling on the agency's behalf.
5. Time spent for all work necessary to respond to a request for legal services, even if the agency did not ask specifically for every element of that work (based on the professional judgment of the attorney).
6. Time spent on work necessary to protect the legal interest of an agency even if that work has not been approved by the agency, such as for the time spent reviewing a complaint to determine whether and how it affects an agency and undertaking any necessary follow up.
7. Time spent by attorneys, attorney supervisors and other billing personnel responding to a billing question, unless the inquiry discloses an overcharge or other billing error by DOJ.
8. Time spent preparing for and following phone discussions. Review of the matter and writing notes to the file are included as time billed for a phone conversation.

### Have a Question About Your Bill

There are times when a client has questions about a billing or believes that a change should not be made on a billing. The client might not understand what the charge is for or who did the work. When you request any information about or a change to your bill, please follow the procedures below:

The inquiry should be in writing or in a face to face meeting and should include:

- Client Name
- Client Matter
- Description of the question or concern
- A copy of the specific entries involved

### Billing Disagreements

If a client questions the amount of a billing for time or expenses, and it is not an accounting question, Robinson Law will direct the question to the attorney or other professional staff responsible for the charge. That person will review the agency's question or concern, consult with his or her supervisor, and provide a recommended response to the agency. If the recommendation involves a reduction or elimination of the charges, the supervisor will seek appropriate approvals. An explanation of the recommendation and the resulting billing decision will be provided to the client along with a copy of any billing adjustments.

## **Notices to Clients**

### Fire Arms

*To avoid the possibility of prosecution under federal law (18 U.S.C. §922), you should plan to remove all firearms and ammunition from your possession while your case is pending.* You need not sell these items but may place them with a third party for safekeeping. The provisions about possession of these items described below apply unless the court makes a specific exception for your case, and they apply even if you have a handgun permit.

It is routine practice for courts to enter mutual temporary injunctions prohibiting conduct constituting threats or injury to the other party or children. For example, each party is often enjoined from "threatening the other party in person, by telephone, or in writing to take unlawful action against any person," "intentionally, knowingly, or recklessly causing bodily injury to the other party or to a child of either party," or "threatening the other party or a child of either party with imminent bodily injury." If an order in language similar to these examples is entered in your case, you may be subject to prosecution for a federal felony if you possess any firearm or ammunition. When a final order replaces the temporary orders, you will be permitted to possess these items again unless the final order also contains such injunctive language.

If a domestic violence protective order is entered against you, you may be subject to prosecution for a federal felony if you possess any firearm or ammunition. When the order has expired, you will be permitted to possess these items again.

If you are convicted of the misdemeanor crime of domestic violence, you may be subject to prosecution for a federal felony if you possess any firearm or ammunition. In this circumstance, your right to possess a firearm or ammunition will be forfeited for life.

#### Informal Agreements

Please allow this letter to serve as notice to you that the parties to a divorce case may agree to informal settlement conferences without their attorneys present. If you feel safe, and if you feel that you and your spouse or opposing party can speak in a civil manner with each other, maintain your composure, and remain respectful, I encourage your involvement in settling your case with your spouse. However, I strongly *advise against your signing any document* your spouse or opposing party might produce detailing your agreement without consulting me first.

In short, to allow me to properly represent you, *please do not sign an informal settlement agreement* before you allow me an opportunity to review the document. If you were to sign an informal settlement agreement with your spouse or opposing party that met specific statutory language requirements, you could very well short-circuit your own case and be bound to an agreement that might not be in your best interest.

#### Inadvertent Agreements

For your protection, I want to make you aware of the following information so that you may avoid entering into a binding agreement unintentionally.

Rule 11 of the Texas Rules of Civil Procedure provides that an agreement that is (1) *in writing*, (2) *signed*, and (3) *filed with the court* may be enforced as a binding agreement, resolving the issues contained in that written document and precluding further discussion or litigation regarding those issues.

This description would specifically include any document, handwritten or otherwise, that you and your spouse sign that purports to contain settlement terms. Further, recent decisions of the Supreme Court of Texas greatly increase the likelihood that this sort of informal document could, regardless of your intent, be deemed a final and binding settlement by the court.

Additionally, if you choose to communicate by e-mail or text with a party to the lawsuit or others, you may say something that could form the basis of a contract. When communicating by e-mail or text it is often difficult to avoid making admissions or otherwise including something that you will later regret.

I therefore advise that you do not sign any document unless and until it has been reviewed by your attorney and you have been advised that it is appropriate to sign. Further, if you are going to communicate by e-mail or text with your spouse or opposing party, you should choose your words very carefully and with the understanding that they may cause you problems later.