



## **ATTORNEY-CLIENT AGREEMENT**

### **Scope of Representation**

The scope of the attorney-client relationship is limited to the issues we both agree upon, however, it shall not include any bankruptcy, tax implications, or appellate matters. You should rely on your CPA, appellate attorney or bankruptcy attorney for those subjects.

### **Refundable Initial Retainer**

The initial retainer/deposit required for representation shall be established after the initial consultation, however, a standard family law matter retainer starts at **\$7,500.00, however, the specific retainer for your case will be established at the consultation.**

10% of your initial retainer is non-refundable.

All remaining unused portions are **refundable** at the conclusion of the case/representation. If you no longer need our representation and the case has not been completed yet, this will require our office to file a motion to withdraw and have that approved by the court before the refund of the retainer can be completed. The retainer will be used to pay for our time to officially withdraw or dismiss the lawsuit. The court requires that an official motion be filed to withdraw and there is also a short hearing that may be required to get the order signed. This typically involves about two hours of additional time that would be deducted from the retainer.

### **Ever-Green Provision**

All clients will receive a regular invoice for services and expenses rendered. The goal of the retainer is to maintain a full deposit at all times. All clients are required to replenish the retainer back to the same level as set forth above as the "Initial Retainer Deposit" upon receipt of each invoice. However, if a lengthy trial is expected, a higher retainer may be necessary.

### **Hourly Rates/Fees-**

Attorney Terence Davis- \$400.00 per hour.  
Paralegal time is charged at \$200.00 per hour.  
Staff assistant time is charged at \$100.00 per hour.

I read & approve \_\_\_\_\_

All charges are in minimum 6-minute increments.

We do charge for any and all time spent reviewing, organizing, preparing and responding to emails and phone calls.

**Knowledge of Client Handbook and Helpful Materials**

I hereby confirm that I am aware of the time and cost saving information that is available at [www.cedarparkattorney.com](http://www.cedarparkattorney.com) website.

Printed Name of Client \_\_\_\_\_

\_\_\_\_\_  
Client's Signature \_\_\_\_\_ Date \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Email: \_\_\_\_\_

DOB: \_\_\_\_\_ SSN: \_\_\_\_\_ DL# \_\_\_\_\_

**HOW DID YOU LEARN ABOUT OUR LAW FIRM:**

\_\_\_\_\_

**APPROVED BY ATTORNEY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**NOTICE TO CLIENTS:**

**The State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar's Office of General Counsel will provide you with information about how to file a complaint. Please call 1-800-932-1900 toll-free for more information.**

I read & approve \_\_\_\_\_

## **OTHER HELPFUL INFORMATION**

### **Returning Phone Calls**

If you call our office and we are unable to assist you at that time, our policy is to schedule a good time for us to talk instead of playing phone tag. You can also book meetings yourself on our website.

### **Billing Procedures**

All time and expenses will be added to your invoice and sent to you via email.

### **Termination agreement including file retention and destruction terms.**

At the conclusion of this matter, we will retain your legal files for one year after we close our file. At the expiration of the one-year period, we will destroy these files unless you notify us in writing within that year, after your last billing, that you wish to retain the materials before the one year expires. By signing this contract, you agree that we can dispose of your files by shredding them at that time.

### **Discovery**

Our office will typically engage in normal discovery to explore the relevant information in your case. This will typically include a Request for Production of Documents, Interrogatories, and Mandatory Disclosures.

### **Inventory**

In most divorce cases, there is a need for an inventory and appraisal of property. We advise getting this done early in the case. If you would like to get started, you can use the Basic Inventory Form on our website. We recommend that clients begin their draft inventory within 14 days of signing this contract.

### **Proposed Budget Form**

In any case where child support or spousal support is requested by either party, we will need you to complete a Proposed Budget Form. This form is available on our website.

### **Proposed Disposition of Issues**

In almost every case, we must prepare an outline of the issues that need to be addressed at any hearings. It is like a checklist for the court to follow during the actual hearing. The earlier we have this document completed, the more focused and efficient the preparation becomes. Please review a sample Proposed Disposition of Issues form on our website.

I read & approve \_\_\_\_\_

## **Standing Orders and Temporary Restraining Orders**

Most family law cases will have a standing order or a temporary restraining order involved. To view a sample standing order, go to our website.

## **Temporary Hearings**

If there will be a temporary orders hearing in your case, we suggest that some or all of the following take place prior to that hearing:

1. Meet with attorney to prepare the Proposed Disposition of Issues;
2. Meet with attorney to discuss witnesses and exhibits needed for hearing and whether any subpoenas will be needed;
3. Client should review Courtroom Decorum Form on our website;
4. Client should watch video on our website regarding testifying in a family law case; and
5. Make sure you know where and when the hearing will be held.

## **Mediation**

It is very common that the court will require mediation in most family law cases before the final hearing. If both parties have adequate information and participate in good faith, mediation is a very successful tool. Before attending a mediation, please schedule a meeting with our office at least a week in advance to have the process explained and to formulate a plan for mediation. The goal will be to understand the likely scenarios, counter-positions, and your options. Most mediations will last between 4-8 hours. The client will be expected to pay the mediator's fees at the conclusion of the mediation session.

## **Experts**

In certain situations, we encourage the use of experts to protect your position. If an expert is retained, the client will be required to cover those charges. Some examples of experts are property appraisers, business appraisers, mental health professionals, guardian ad litem, amicus attorneys, and retirement evaluation experts.

## **Organization Tips**

In our experience, the more organized cases have better results and lower attorney's fees. Our goal is to bates-label voluminous documents produced or received in discovery so that a table of contents can be created to allow the documents to be reviewed more efficiently.

I read & approve \_\_\_\_\_

**Motion to Compel**

If a party contends that another party has not complied with a discovery request, they can file a motion to compel with the court to determine if they should be ordered to comply. Our general policy is to take several steps to resolve the matter informally before seeking this judicial remedy.

**Final Trial**

Unless the parties agree otherwise, a final trial date will require at least 45 days' notice. Depending on the complexity of the case and other litigation issues, we may require a substantial trial deposit before a final trial date is requested by our office or if the other side starts the process to request a final trial. If a jury trial is being requested, this should be done as early as possible but never less than 30 days before trial.

I read & approve \_\_\_\_\_