











1. Are you doing this survey as (please tick)

		Response Percent	Response Count
A member of a participating law firm at your firm's request?		45.7%	102
An interested individual on your own initiative?		54.3%	121
		answered question	223
		skipped question	1









2. If you are completing this survey as a member of a participating law firm, please enter the code for your firm. IMPORTANT: PLEASE ENSURE YOU ENTER THE SIX LETTER CODE EXACTLY AS GIVEN TO YOU BY YOUR FIRM'S SURVEY MANAGER ENTER CODE HERE

		Response Count
		78
answered question		78
skipped question		146



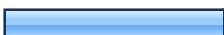

3. What best describes the legal practice where you work?

		Response Percent	Response Count
A sole practice with one practising certificate holder		28.2%	42
A sole practice with a principal and employed solicitors		34.9%	52
A partnership with two or more principals		8.1%	12
A partnership with two or more principals and employed solicitors		10.1%	15
An incorporated legal practice with one practising certificate holder		3.4%	5
An incorporated legal practice with a principal and employed solicitors		10.7%	16
An incorporated legal practice with two or more principals		0.7%	1
An incorporated legal practice with two or more principals and employed solicitors		4.0%	6
Other (please specify)		0.0%	0
answered question			149
skipped question			75





4. What is the primary area of practice of your law firm?

		Response Percent	Response Count
General practice		33.3%	49
Personal injuries		2.7%	4
Conveyancing		5.4%	8
Wills and estate planning		3.4%	5
Family Law		11.6%	17
Deceased estates and trusts		0.7%	1
Commercial		18.4%	27
Other (please specify)		24.5%	36
answered question			147
skipped question			77

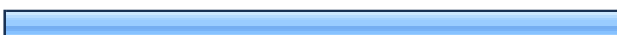

5. Where is your law practice located?

		Response Percent	Response Count
Brisbane CBD		19.9%	29
Brisbane Suburbs		31.5%	46
Regional City		34.9%	51
Regional Town		13.7%	20
Interstate		0.0%	0
answered question			146
skipped question			78



6. Please tick the box below that describes your role in the practice

		Response Percent	Response Count
Principal		67.8%	99
Employed solicitor		25.3%	37
Paralegal		0.7%	1
Law clerk		0.0%	0
Conveyancing clerk		0.0%	0
Other		6.2%	9
answered question			146
skipped question			78











7. This survey is for legal practitioners and practice staff who are actively involved with clients and billing clients. Does your work in the practice meet that description?

		Response Percent	Response Count
Yes		99.3%	146
No		0.7%	1
Other (please specify)			0
answered question			147
skipped question			77



8. Do you hold a current practising certificate?

		Response Percent	Response Count
Yes		95.9%	140
No		4.1%	6
answered question			146
skipped question			78

9. If you hold a current practising certificate, for how long have you held it?

		Response Percent	Response Count
<5 years		18.1%	26
5 to 9 years		11.8%	17
10 to 14 years		11.8%	17
15 to 19 years		11.8%	17
20 to 24 years		13.2%	19
25 to 29 years		11.8%	17
30 to 34 years		13.2%	19
35 to 39 years		1.4%	2
40+ years		4.2%	6
N/A		2.8%	4
answered question			144
skipped question			80

10. What is your gender?

		Response Percent	Response Count
Male		61.1%	88
Female		38.9%	56
answered question			144
skipped question			80

11. At a client's first interview, do you (or does somebody in your practice) discuss the following with clients?

	Yes	No	I don't know	Response Count
The basis for calculating their bill for legal costs	92.4% (134)	5.5% (8)	2.1% (3)	145
Preferred billing method (eg hourly rate, fixed fee etc)	84.0% (121)	13.9% (20)	2.1% (3)	144
Preferred format of bills	26.2% (37)	68.8% (97)	5.0% (7)	141
Arrangements for on going costs disclosure	67.1% (96)	30.8% (44)	2.1% (3)	143
Time frames for costs updates	50.0% (71)	45.8% (65)	4.2% (6)	142
Arrangements for dealing with complaints	38.7% (55)	57.0% (81)	4.2% (6)	142
How often the client would like to receive accounts	39.7% (56)	56.0% (79)	4.3% (6)	141
Who in the practice will be working on the matter and their charge out rates	86.1% (124)	12.5% (18)	1.4% (2)	144
How and when payment will be made	78.9% (112)	18.3% (26)	2.8% (4)	142

Other (please specify) 7

answered question	145
skipped question	79


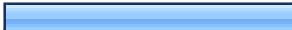




12. How does your practice estimate what the costs will be for a client?

	Yes	No	Response Count
Use of historical costs information to identify what similar work has cost	92.7% (114)	7.3% (9)	123
Predicted time-cost calculation	81.0% (94)	19.0% (22)	116
Going over earlier accounts	43.0% (40)	57.0% (53)	93
Reference to standard fees	76.2% (77)	23.8% (24)	101
		Other (please specify)	12
answered question			139
skipped question			85

13. Does your practice use any of the following billing methods ?

	Yes	No	Response Count
Time based (hourly)	91.9% (125)	8.1% (11)	136
Hourly fee with cap or limit	42.2% (46)	57.8% (63)	109
No win No Fee	17.1% (19)	82.9% (92)	111
Fixed fee by agreement	87.6% (113)	12.4% (16)	129
Task based billing (for routine work eg production of wills, EPAs)	78.4% (98)	21.6% (27)	125
Value billing (value agreed at the end of the matter)	23.4% (25)	76.6% (82)	107
Other (partial) conditional fee arrangements	19.0% (19)	81.0% (81)	100
Interim billing	84.3% (107)	15.7% (20)	127
Hybrid arrangements (eg part fixed/part time-costing)	55.0% (60)	45.0% (49)	109
		Other (please specify)	4
answered question			144
skipped question			80




14. Where time billing is utilised in relation to hours worked, what is your practice's policy/guideline as to when times should be entered onto a timesheet? (pick one only)

		Response Percent	Response Count
There is no policy		15.9%	22
Immediately		46.4%	64
Same day		23.9%	33
Within the week		2.2%	3
By the end of the month		3.6%	5
Other (please specify)		8.0%	11
answered question			138
skipped question			86





15. Does your practice have a policy or procedure in place to

	Yes	No	Response Count
Manage the matter to ensure consistency with the original estimate(s)	73.3% (99)	26.7% (36)	135
Ensure the costs being charged are consistent with the practice's own internal costs/billing policies	81.5% (106)	18.5% (24)	130
Discuss a provisional bill with the client	55.4% (72)	44.6% (58)	130
Make valid costs disclosures	89.6% (121)	10.4% (14)	135
Adhere to the costs agreement	92.4% (122)	7.6% (10)	132
		Other (please specify)	7
answered question			139
skipped question			85

16. Do you provide clients with regular costs updates?

		Response Percent	Response Count
Yes		74.5%	105
No		11.3%	16
The matters I deal with have short time frames only		14.2%	20
answered question			141
skipped question			83

17. If you provide clients with costs updates, which of the following methods or procedures do you most frequently use?

		Response Percent	Response Count
IT systems (time recording/accounts) to prompt when milestones are met in terms of accrued WIP		19.0%	23
A personal bring up system		38.8%	47
The client can check WIP or current costs on-line		0.0%	0
Regular itemized accounts unless inappropriate eg for a routine conveyance		68.6%	83
Other (please specify)		7.4%	9
answered question			121
skipped question			103



18. Does your practice review a client's bill before sending to

	Yes	No	I don't know	Response Count
Ensure the costs you charge are consistent with the client agreement	97.2% (137)	2.1% (3)	0.7% (1)	141
Ensure the costs you charge are consistent with your professional obligations	97.1% (135)	1.4% (2)	1.4% (2)	139
Ensure that disbursements claimed have been reasonably incurred	97.9% (138)	1.4% (2)	0.7% (1)	141
Ensure that disbursements claimed are reasonable in amount	95.0% (133)	4.3% (6)	0.7% (1)	140
Ensure the amount of the bill is fair and reasonable and not excessive	97.9% (139)	2.1% (3)	0.0% (0)	142
Other (please specify)				4

answered question 143

skipped question 81

19. Does your practice measure estimate accuracy? (eg by comparing initial estimates to the actual bill)

		Response Percent	Response Count
Yes		66.0%	93
No		34.0%	48
answered question			141
skipped question			83

20. What is the procedure in your practice if it seems a client's bill will be different to the original estimate for dealing with their matter?

	Yes	No	Response Count
Send an email to the client detailing the change	74.8% (77)	25.2% (26)	103
Discuss the change in person with the client	82.1% (92)	17.9% (20)	112
Follow up an initial phone call with a letter that requires a response	56.8% (54)	43.2% (41)	95
Inform the client of the change and assume they have no objection to the change if they do not respond	50.9% (56)	49.1% (54)	110
		Other (please specify)	9
			answered question 136
			skipped question 88

21. Does your practice provide clients with an itemised account ("itemised" in this question broadly means that the account allows the client to readily see what services are being charged at what fees).

	yes	no	Response Count
Routinely at regular billing intervals	69.9% (86)	30.1% (37)	123
Not routinely, only when requested by the client	39.1% (34)	60.9% (53)	87
Routinely at the completion of the matter	63.9% (62)	36.1% (35)	97
Dependent on agreed client preference at the start of the matter	47.1% (40)	52.9% (45)	85
		Other (please specify)	12
			answered question 141
			skipped question 83

22. Does your practice have billing policies and/or procedures in respect of when it is appropriate to bill for any of the following?


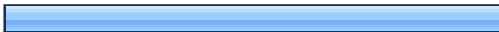
	Yes	No	Response Count
Drafting/document preparation	79.0% (109)	21.0% (29)	138
Research	69.6% (94)	30.4% (41)	135
Travel	71.9% (97)	28.1% (38)	135
Waiting (eg for Court/meetings)	63.2% (84)	36.8% (49)	133
Internal conferences	59.2% (77)	40.8% (53)	130
Internal reviews of files	52.7% (68)	47.3% (61)	129
Supervision meetings	46.9% (60)	53.1% (68)	128
File Management	57.0% (73)	43.0% (55)	128
Administration	60.9% (78)	39.1% (50)	128
Recycling a document prepared for another client	35.8% (44)	64.2% (79)	123

Please comment if you wish



14

answered question	139
skipped question	85



23. Does your practice usually bill for care and consideration?

		Response Percent	Response Count
Yes		20.0%	28
No		80.0%	112
answered question			140
skipped question			84

24. If you do bill for care and consideration, is it appropriate to charge care and consideration when the bill is drawn up on a time basis?

		Response Percent	Response Count
Yes		33.3%	26
No		66.7%	52
answered question			78
skipped question			146






25. Is it appropriate to charge care and consideration when you draw the bill up on a court scale?

		Response Percent	Response Count
Yes		63.0%	68
No		37.0%	40
answered question			108
skipped question			116

26. Under what circumstances do you believe you are entitled to claim care and consideration?

	Response Count
	83
answered question	83
skipped question	141

27. Do you review your billing practices to ensure that you comply with your professional obligations? Please tick any that apply

		Response Percent	Response Count
Regularly as a matter of course		52.6%	71
When there are legislative changes		62.2%	84
If it seems problems are arising for clients		42.2%	57
If prompted by good advice received when attending external training		54.1%	73
I am confident that my billing practices always comply with my professional obligations		25.2%	34
answered question			135
skipped question			89

28. Does your firm gauge client satisfaction with costs disclosure and/or billing?





	Yes	No	Response Count
We ask the client at the end of the matter through a meeting or phone call	23.2% (26)	76.8% (86)	112
We monitor for any problems arising	80.6% (100)	19.4% (24)	124
We ask clients to complete our client satisfaction survey	17.4% (20)	82.6% (95)	115
We rely on clients telling us if they are dissatisfied with costs disclosures or billing	83.9% (104)	16.1% (20)	124
We gauge satisfaction by the recovery percentage or % of bill amounts that are ultimately recovered	38.7% (43)	61.3% (68)	111

Other (please specify) 12

answered question 135

skipped question 89

29. In the last 12 months, approximately how much training or instruction have you received from external providers on billing practices?

		Response Percent	Response Count
None		47.1%	65
Less than one hour		16.7%	23
One to two hours		25.4%	35
More than two hours		10.9%	15

Please describe the training that took place if you received training 23

answered question 138

skipped question 86

30. A client retains a firm on the basis that they will be charged on an hourly rate. The client is given an estimate of work for \$10,000.00. At the conclusion of the matter, the account comes to \$5,000.00 on a time costing basis. The practice charges the client \$9,000.00 as the work performed by the firm was of a high quality and the outcome exceptional.


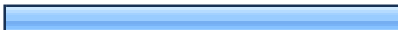

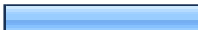
	Yes	No	Response Count
In your opinion, is the billing practice ethically appropriate?	9.7% (13)	90.3% (121)	134
Would your practice encourage this practice?	9.0% (12)	91.0% (121)	133
Does your practice have a policy/procedure in relation to this issue?	43.8% (57)	56.2% (73)	130
Have you ever been given guidance/advice in relation to the practices described above?	31.5% (41)	68.5% (89)	130

Please comment further if, for example, some answers depend on the circumstances or the matter.




35

answered question	136
skipped question	88

31. You work in a conveyancing practice where clients agree to pay professional fees plus disbursements. You become aware that your firm commenced a policy of including a surcharge of \$10.00 in all property search disbursements. (eg property search actual costs is \$20.00. The bill would show the disbursement as \$30.00). What would you do?

		Response Percent	Response Count
Nothing		2.2%	3
Discuss the matter with a supervisor or managing partner/legal practitioner/director		63.7%	86
Inform the Legal Services Commission after speaking to management.		3.0%	4
Other (please specify)		31.1%	42
answered question			135
skipped question			89

32. You act for a client in litigation and schedule court appearances for three different files on the same day which deal with the same issue (eg they are all applications by your client to strike out three different claims for want of prosecution). You spend a total of four hours at court (including waiting time). What do you bill the client?

		Response Percent	Response Count
4 hours for each matter		1.5%	2
The actual time spent on each matter		78.1%	107
Other (please describe)		20.4%	28
answered question			137
skipped question			87

33. You research an area for one client which takes two hours. A few months later the same issue arises in respect of a second client and as a result of the previous work product, the time to complete the advice for the second client takes only one hour.

	Yes	No	Response Count
Do you bill the second client the same as you did for the first client?	9.0% (12)	91.0% (122)	134
In your opinion, is it ethical to use re-cycled work product which leads a practitioner to billing more than the number of hours actually worked?	16.9% (22)	83.1% (108)	130
Would the culture of your firm encourage this practice?	12.4% (16)	87.6% (113)	129
Does your firm have a policy/procedure in relation to this issue?	40.5% (53)	59.5% (78)	131
Have you ever been given guidance/advice in relation to the practices described above?	27.1% (35)	72.9% (94)	129

Please comment further if, for example, some answers depend on the circumstances or the matter.

35

answered question	135
skipped question	89

34. Please give us some feedback on this survey. In your experience of participating in the survey, how satisfied are you

	Satisfied	Not satisfied	Neutral	Response Count
That the survey was easy to work through	88.1% (119)	2.2% (3)	9.6% (13)	135
That the questions are relevant to your small law practice	70.4% (95)	8.1% (11)	21.5% (29)	135
That the questions raised useful issues for your small law practice	76.1% (102)	6.7% (9)	17.2% (23)	134
That the majority of scenarios are relevant to your small law practice	67.2% (90)	10.4% (14)	22.4% (30)	134
The the majority of scenarios raised useful issues for your small law practice	72.2% (96)	9.0% (12)	18.8% (25)	133

Please comment further if you wish

18

answered question	135
skipped question	89