


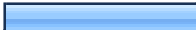







**1. Are you doing this survey as (please tick)**

		Response Percent	Response Count
A member of a participating law firm at your firm's request?		0.0%	0
An interested individual on your own initiative?		100.0%	121
answered question			121
skipped question			0









**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
	0
answered question	0
skipped question	121



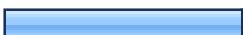

### 3. What best describes the legal practice where you work?

		Response Percent	Response Count
A sole practice with one practising certificate holder		30.9%	25
A sole practice with a principal and employed solicitors		30.9%	25
A partnership with two or more principals		12.3%	10
A partnership with two or more principals and employed solicitors		13.6%	11
An incorporated legal practice with one practising certificate holder		2.5%	2
An incorporated legal practice with a principal and employed solicitors		6.2%	5
An incorporated legal practice with two or more principals		1.2%	1
An incorporated legal practice with two or more principals and employed solicitors		2.5%	2
Other (please specify)		0.0%	0
answered question			81
skipped question			40




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

		Response Percent	Response Count
General practice		41.3%	33
Personal injuries		2.5%	2
Conveyancing		5.0%	4
Wills and estate planning		2.5%	2
Family Law		8.8%	7
Deceased estates and trusts		1.3%	1
Commercial		15.0%	12
Other (please specify)		23.8%	19
answered question			80
skipped question			41

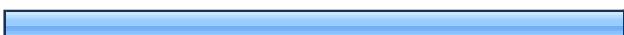
#### 5. Where is your law practice located?

		Response Percent	Response Count
Brisbane CBD		16.5%	13
Brisbane Suburbs		34.2%	27
Regional City		38.0%	30
Regional Town		11.4%	9
Interstate		0.0%	0
answered question			79
skipped question			42



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

		Response Percent	Response Count
Principal		64.6%	51
Employed solicitor		30.4%	24
Paralegal		0.0%	0
Law clerk		0.0%	0
Conveyancing clerk		0.0%	0
Other		5.1%	4
answered question			79
skipped question			42











## 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		100.0%	80
No		0.0%	0
Other (please specify)			0
answered question			80
skipped question			41



## 8. Do you hold a current practising certificate?

		Response Percent	Response Count
Yes		98.7%	78
No		1.3%	1
answered question			79
skipped question			42

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

		Response Percent	Response Count
<5 years		19.0%	15
5 to 9 years		12.7%	10
10 to 14 years		10.1%	8
15 to 19 years		11.4%	9
20 to 24 years		13.9%	11
25 to 29 years		8.9%	7
30 to 34 years		16.5%	13
35 to 39 years		2.5%	2
40+ years		3.8%	3
N/A		1.3%	1
answered question			79
skipped question			42

## 10. What is your gender?

		Response Percent	Response Count
Male		66.7%	52
Female		33.3%	26
answered question			78
skipped question			43

## 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	94.9% (75)	3.8% (3)	1.3% (1)	79
Preferred billing method (eg hourly rate, fixed fee etc)	87.2% (68)	12.8% (10)	0.0% (0)	78
Preferred format of bills	22.4% (17)	77.6% (59)	0.0% (0)	76
Arrangements for on going costs disclosure	63.6% (49)	36.4% (28)	0.0% (0)	77
Time frames for costs updates	49.4% (38)	49.4% (38)	1.3% (1)	77
Arrangements for dealing with complaints	36.4% (28)	62.3% (48)	1.3% (1)	77
How often the client would like to receive accounts	35.1% (27)	62.3% (48)	2.6% (2)	77
Who in the practice will be working on the matter and their charge out rates	88.5% (69)	11.5% (9)	0.0% (0)	78
How and when payment will be made	80.5% (62)	18.2% (14)	1.3% (1)	77
Other (please specify)				1
answered question				79
skipped question				42

## 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	<b>94.0% (63)</b>	6.0% (4)	67
Predicted time-cost calculation	<b>76.6% (49)</b>	23.4% (15)	64
Going over earlier accounts	43.4% (23)	<b>56.6% (30)</b>	53
Reference to standard fees	<b>75.5% (40)</b>	24.5% (13)	53
		Other (please specify)	3
<b>answered question</b>			<b>77</b>
<b>skipped question</b>			<b>44</b>

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

	Yes	No	Response Count
Time based (hourly)	<b>90.4% (66)</b>	9.6% (7)	73
Hourly fee with cap or limit	46.7% (28)	<b>53.3% (32)</b>	60
No win No Fee	16.1% (10)	<b>83.9% (52)</b>	62
Fixed fee by agreement	<b>88.6% (62)</b>	11.4% (8)	70
Task based billing (for routine work eg production of wills, EPAs)	<b>83.6% (56)</b>	16.4% (11)	67
Value billing (value agreed at the end of the matter)	23.8% (15)	<b>76.2% (48)</b>	63
Other (partial) conditional fee arrangements	21.1% (12)	<b>78.9% (45)</b>	57
Interim billing	<b>84.1% (58)</b>	15.9% (11)	69
Hybrid arrangements (eg part fixed/part time-costing)	<b>50.8% (31)</b>	49.2% (30)	61
		Other (please specify)	1
<b>answered question</b>			<b>78</b>
<b>skipped question</b>			<b>43</b>






**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		17.3%	13
<b>Immediately</b>		<b>44.0%</b>	<b>33</b>
Same day		20.0%	15
Within the week		2.7%	2
By the end of the month		5.3%	4
Other (please specify)		10.7%	8
<b>answered question</b>			<b>75</b>
<b>skipped question</b>			<b>46</b>





**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)	<b>67.1% (51)</b>	32.9% (25)	76
Ensure the costs being charged are consistent with the practice's own internal costs/billing policies	<b>78.4% (58)</b>	21.6% (16)	74
Discuss a provisional bill with the client	<b>50.0% (37)</b>	<b>50.0% (37)</b>	74
Make valid costs disclosures	<b>85.5% (65)</b>	14.5% (11)	76
Adhere to the costs agreement	<b>90.4% (66)</b>	9.6% (7)	73
Other (please specify)			3
<b>answered question</b>			<b>76</b>
<b>skipped question</b>			<b>45</b>

## 16. Do you provide clients with regular costs updates?

		Response Percent	Response Count
Yes		75.3%	58
No		13.0%	10
The matters I deal with have short time frames only		11.7%	9
answered question			77
skipped question			44

## 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		18.2%	12
A personal bring up system		42.4%	28
The client can check WIP or current costs on-line		0.0%	0
<b>Regular itemized accounts unless inappropriate eg for a routine conveyance</b>		59.1%	39
Other (please specify)		9.1%	6
answered question			66
skipped question			55



## 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	94.7% (72)	3.9% (3)	1.3% (1)	76
Ensure the costs you charge are consistent with your professional obligations	98.7% (76)	0.0% (0)	1.3% (1)	77
Ensure that disbursements claimed have been reasonably incurred	97.4% (75)	1.3% (1)	1.3% (1)	77
Ensure that disbursements claimed are reasonable in amount	93.4% (71)	5.3% (4)	1.3% (1)	76
Ensure the amount of the bill is fair and reasonable and not excessive	97.4% (75)	2.6% (2)	0.0% (0)	77
Other (please specify)				4

answered question 77

skipped question 44

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

		Response Percent	Response Count
Yes		60.5%	46
No		39.5%	30
answered question			76
skipped question			45

**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	<b>73.7% (42)</b>	26.3% (15)	57
Discuss the change in person with the client	<b>80.0% (48)</b>	20.0% (12)	60
Follow up an initial phone call with a letter that requires a response	<b>61.5% (32)</b>	38.5% (20)	52
Inform the client of the change and assume they have no objection to the change if they do not respond	<b>57.8% (37)</b>	42.2% (27)	64
		Other (please specify)	5
			<b>answered question</b> <b>74</b>
			<b>skipped question</b> <b>47</b>

**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	<b>67.7% (44)</b>	32.3% (21)	65
Not routinely, only when requested by the client	43.8% (21)	<b>56.3% (27)</b>	48
Routinely at the completion of the matter	<b>70.6% (36)</b>	29.4% (15)	51
Dependent on agreed client preference at the start of the matter	<b>57.8% (26)</b>	42.2% (19)	45
		Other (please specify)	6
			<b>answered question 75</b>
			<b>skipped question 46</b>

## 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	77.3% (58)	22.7% (17)	75
Research	65.8% (48)	34.2% (25)	73
Travel	69.9% (51)	30.1% (22)	73
Waiting (eg for Court/meetings)	62.5% (45)	37.5% (27)	72
Internal conferences	52.8% (38)	47.2% (34)	72
Internal reviews of files	43.7% (31)	56.3% (40)	71
Supervision meetings	39.4% (28)	60.6% (43)	71
File Management	50.7% (36)	49.3% (35)	71
Administration	55.7% (39)	44.3% (31)	70
Recycling a document prepared for another client	27.5% (19)	72.5% (50)	69

Please comment if you wish



5

answered question	75
skipped question	46



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

		Response Percent	Response Count
Yes		29.3%	22
No		70.7%	53
answered question			75
skipped question			46

**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		30.4%	14
No		69.6%	32
answered question			46
skipped question			75





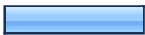
**25. Is it appropriate to charge care and consideration when you draw the bill up on a court scale?**

		Response Percent	Response Count
Yes		60.0%	36
No		40.0%	24
answered question			60
skipped question			61

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

	Response Count
	45
answered question	45
skipped question	76

**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		45.2%	33
<b>When there are legislative changes</b>		<b>61.6%</b>	<b>45</b>
If it seems problems are arising for clients		49.3%	36
If prompted by good advice received when attending external training		52.1%	38
I am confident that my billing practices always comply with my professional obligations		21.9%	16
		<b>answered question</b>	<b>73</b>
		<b>skipped question</b>	<b>48</b>



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

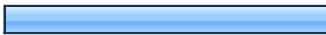



	Yes	No	Response Count
We ask the client at the end of the matter through a meeting or phone call	15.6% (10)	<b>84.4% (54)</b>	64
We monitor for any problems arising	<b>73.5% (50)</b>	26.5% (18)	68
We ask clients to complete our client satisfaction survey	9.4% (6)	<b>90.6% (58)</b>	64
We rely on clients telling us if they are dissatisfied with costs disclosures or billing	<b>79.7% (55)</b>	20.3% (14)	69
We gauge satisfaction by the recovery percentage or % of bill amounts that are ultimately recovered	41.3% (26)	<b>58.7% (37)</b>	63

Other (please specify) 5

**answered question 72**

**skipped question 49**

## 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
<b>None</b>		<b>52.1%</b>	<b>38</b>
Less than one hour		9.6%	7
One to two hours		30.1%	22
More than two hours		8.2%	6

Please describe the training that took place if you received training 11





**answered question 73**

**skipped question 48**


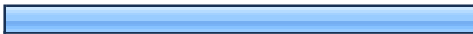

**30. A client retains a firm on the basis that they will be charged on an hourly rate. The client is given an estimate of work for \$10,000.00. At the conclusion of the matter, the account comes to \$5,000.00 on a time costing basis. The practice charges the client \$9,000.00 as the work performed by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

	Yes	No	Response Count
In your opinion, is the billing practice ethically appropriate?	12.5% (9)	<b>87.5% (63)</b>	72
Would your practice encourage this practice?	11.1% (8)	<b>88.9% (64)</b>	72
Does your practice have a policy/procedure in relation to this issue?	38.9% (28)	<b>61.1% (44)</b>	72
Have you ever been given guidance/advice in relation to the practices described above?	23.2% (16)	<b>76.8% (53)</b>	69
Please comment further if, for example, some answers depend on the circumstances or the matter.			17
answered question			<b>74</b>
skipped question			<b>47</b>

**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		2.8%	2
Discuss the matter with a supervisor or managing partner/legal practitioner/director		63.9%	46
Inform the Legal Services Commission after speaking to management.		2.8%	2
Other (please specify)		30.6%	22
answered question			72
skipped question			49

**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		1.4%	1
The actual time spent on each matter		75.7%	56
Other (please describe)		23.0%	17
answered question			74
skipped question			47

**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?	9.6% (7)	<b>90.4% (66)</b>	73
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?	19.7% (14)	<b>80.3% (57)</b>	71
Would the culture of your firm encourage this practice?	14.3% (10)	<b>85.7% (60)</b>	70
Does your firm have a policy/procedure in relation to this issue?	37.5% (27)	<b>62.5% (45)</b>	72
Have you ever been given guidance/advice in relation to the practices described above?	22.5% (16)	<b>77.5% (55)</b>	71
Please comment further if, for example, some answers depend on the circumstances or the matter.			16
		<b>answered question</b>	<b>74</b>
		<b>skipped question</b>	<b>47</b>

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

	<b>Satisfied</b>	<b>Not satisfied</b>	<b>Neutral</b>	<b>Response Count</b>
That the survey was easy to work through	<b>88.9% (64)</b>	2.8% (2)	8.3% (6)	72
That the questions are relevant to your small law practice	<b>72.2% (52)</b>	11.1% (8)	16.7% (12)	72
That the questions raised useful issues for your small law practice	<b>74.6% (53)</b>	8.5% (6)	16.9% (12)	71
That the majority of scenarios are relevant to your small law practice	<b>64.8% (46)</b>	9.9% (7)	25.4% (18)	71
The the majority of scenarios raised useful issues for your small law practice	<b>68.6% (48)</b>	11.4% (8)	20.0% (14)	70

Please comment further if you wish

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<b>answered question</b>	<b>72</b>
<b>skipped question</b>	<b>49</b>