

THE SETTLEMENT DISBURSEMENT

GROSS AMOUNT RECEIVED \$

If the attorney-client contract specifies that costs are deducted from the client's portion, i.e., the attorney's fee is calculated on the gross amount received and not the net amount received after costs are deducted, then:

ATTORNEY'S FEES (% OF GROSS) \$

The amount of attorney's fees cannot be excessive. See LA Rule of Professional Conduct 1.15(a).

NET AFTER ATTORNEY'S FEES \$

EXPENSES

The contract with the client should specify which expenses may be recouped by the attorney. Generally, "overhead" items such as clerical wages and overtime are not recoverable in the absence of a specific and reasonable agreement to do so.

Medical bills \$

See Rule 1.15(b): You must disburse, from your trust account, funds to which a third person has an interest, if you have actual knowledge of that interest and the interest is a statutory lien or privilege, a final judgment addressing disposition of those funds, or a written agreement by the client or the lawyer on behalf of the client guaranteeing payment of their funds out of the settlement of the case. If your client objects to a required disbursement to medical provider, your must keep those funds in trust or deposit in the court registry until the dispute resolved. Difficult issues arise when the settlement does not cover the amount of the guaranteed medical expenses.

Administrative fee XXXXXXXXXXXXXXXXXXXX

Not chargeable.

Client loans made by attorney XXXXXXXXXXXXXXXXXXXX

Check rules and case law in your jurisdiction. In most, they are prohibited.

Finance charges and interest on loans XXXXXXXXXXXXXXXXXXXX

made by attorney

Prohibited.

Loans by financial institution, and finance charges and interest on loans

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May be chargeable if jurisdiction allows it.

Computerized legal research ??????????????????????

Usually only if contract provides for it; generally considered office overhead.

Court costs \$

Generally allowed.

Deposition transcript fees \$

Generally allowed.

Copying charges \$

Allowed. The contract should specify that client will be charged. All cost items are subject to the "rule of reasonableness," i.e., ordinary photocopies charged at \$1.00 per page is excessive.

TOTAL AMOUNT DISBURSED TO CLIENT \$

I have read the above settlement disbursement statement, it has been explained to me and I understand it. I agree to the disbursement of funds as shown above. *Good practice would include having all of the expense receipts available for examination at the time funds are disbursed. You may not include any release for malpractice in this statement. RPC 1.8(h).*

Signed Somewhere, State of Confusion, this ____ day of _____, 2002.

Client

Elizabeth A. Alston

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