

SWEET 1 STEVENS | KATZ | WILLIAMS

STANDARD AGREEMENT FOR FEES, COSTS AND EXPENSES FOR REPRESENTATION OF PUBLIC EDUCATIONAL ENTITIES July 1, 2015

The standard basis for fees for services rendered is based upon calculation of hourly chargeable time applied to an hourly rate. Our current hourly rates for chargeable time vary, depending upon the complexity of the matter involved. For routine matters, our standard hourly rate for chargeable time is \$150/hour for attorneys and \$125/hour for legal assistants. Our fees for non-routine matters are \$195/hour for attorneys and \$125/hour for legal assistants.

Non-routine situations involving the higher hourly rate are those matters in which a case or controversy has arisen or may arise by virtue of threatened litigation, circumstances in which the district is contacted by an attorney representing a specific client, actual litigation, hearing requests, citizen complaints, defense of complaints filed in court or before agencies, or hearings before the school board itself. These situations also include negotiation with vendors and other parties concerning contracts, special education matters, student residency disputes, student and employee discipline matters, grievance processing where a specific grievance has been filed, grievance arbitrations, collective bargaining where we represent the district as its negotiator, construction matters, tax matters, and analysis or development of board policy or procedure. All advice, phone calls, opinions, document review, research, and other activities not covered by the preceding are considered routine.

During the course of representation we record chargeable time devoted to a client's matter in fractions of hours in periods of tenths of an hour, taking into account interruption of other work. Absence from our office on behalf of our clients is also recorded on the same basis, which takes into account, in part, our unavailability to other clients during such periods. However, we minimize travel time whenever possible.

We generally do not require a fixed retainer fee in advance, and our billings are based upon services actually performed during the preceding billing period. Using this approach, our clients have used our services on an "as needed" basis and only have been charged if services have been requested and we have agreed to render them. We reserve the right to decline to perform or to continue to perform requested services at any time. At the end of any month that more than minimal services are rendered, we routinely provide a computerized description of the nature, date and amount of time attributable to each entry, along with our invoice for the period.

Our out-of-pocket expenses for computerized research, stenographic services (court reporters), in-house composition of briefs and records, i.e., printing, collating and binding, costs for hearing officers or arbitrators, witness fees, photocopying (\$.20 per copy), and court costs, where required, are charged to our clients at cost. At times, when such charges are substantial, we may ask you to pay them directly.

SOUTHEAST REGION OFFICE

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We do not charge for telephone expenses or facsimile transmissions. We charge a flat fee of \$225.00 for preparation of audit opinion letters when we are requested to do so by you, your accountants, or State Auditors. This covers the cost of our internal review where such a letter is provided. We also quote a separate fee where we are asked to provide an opinion involving a financing or to provide in-service training.

We do not charge for our travel costs, such as meals, lodging, tolls, mileage, or transportation, except in the case of necessary airfares. We also do not make any charge with respect to the extensive publications to which we subscribe, or for our attendance at the numerous seminars and educational programs which we regularly attend. Unless there is a particular benefit to the client or unless previously approved or requested by our client, we do not charge for "duplicate" time; that is, time spent by more than one attorney when conferring among ourselves, or reviewing each other's work, or where two or more of our attorneys attend a meeting, hearing, or trial. We maintain comprehensive opinion and research files on most commonly asked questions. We are, therefore, frequently able to provide answers quickly without extensive legal research.

Different attorneys are capable of performing various tasks required in a given matter with different measures of efficiency from a strict time standpoint. Therefore, in order to determine the chargeable time to be attributed to a given task or activity, we consider the efficiency and expertise normally required for the task involved, the complexity or novelty of each task, our previous time investment in development of research materials or forms, the benefits to the client, and time limitations imposed by clients or by circumstances. However, chargeable time attributed to a given activity will not exceed plus or minus one tenth of an hour for each actual tenth of an hour of time devoted to the task or activity involved.

Please note the rates charged where an insurance company is involved may vary from the preceding, based upon our agreement with the company involved. Where insurance coverage is involved, we may ask that you pay our monthly bills, and we then will submit claims for reimbursement on your behalf to the insurance company. In all cases in which insurance coverage may be available, the ultimate responsibility for payment of our charges will remain with you.

By virtue of our experience in the area of school and municipal law, we constantly seek to make productive use of our time and to thereby provide our services efficiently. Frequently, difficult questions encountered by our clients are questions that we have dealt with before elsewhere. Consequently, we frequently minimize chargeable time spent on many questions. We have found that productive, efficient use of our time reduces the effective hourly rate paid by our clients.

SWEET, STEVENS, KATZ & WILLIAMS LLP
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