

SWEET | STEVENS | KATZ | WILLIAMS

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

July 1, 2023

Sweet, Stevens, Katz & Williams LLP (SSKW) was formed in 1995 by nine experienced education lawyers who created the first private law practice in Pennsylvania dedicated entirely to Education Law. Today, we have attorneys in three offices serving school and municipal entities in more than 50 counties in the commonwealth.

For those clients, we provide legal representation as requested in areas of school and municipal law including serving in the role of solicitor and/or special counsel in the following areas:

- Audit and Bond Solicitation Reviews
- Civil Rights Defense
- Construction, Zoning and Land Use
- Educational Technology
- Employment Discrimination
- Labor and Employment
- Litigation Hold
- Municipal Law
- Special Education
- Student Services
- Tax Assessment Appeals

Our extensive experience in serving many different school districts/entities and municipalities affords us the ability to draw on other client experiences to provide prompt and definitive solutions while handling every issue with the utmost confidence and sensitivity.

We 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 are only charged if services have been requested and provided.

Hourly Rate for Services

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 \$170/hour for attorneys and \$130/hour for legal assistants. Our fees for non-routine matters are \$200/hour for attorneys and \$130/hour for legal assistants.

Non Routine Services

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 client 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 parties concerning litigation settlements, 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 specific Right-To-Know matters and appeals.

Routine Services

All advice, phone calls, opinions, document review, general Right-To-Know questions and responses, analysis or development of board policy or procedure, contract reviews, research, and other activities not covered by the preceding are considered routine.

Time Billed

During the course of representation we record chargeable time devoted to a client's matter in fractions of hours in periods of two tenths of an hour. Any time beyond a two tenths of an hour will be billed at the next full tenth of an hour. Absence from our office on behalf of our clients is also recorded on the same basis. We do minimize travel time whenever possible.

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.

Out of Pocket Expenses and Other Costs

Our out-of-pocket expenses for computerized research, e-discovery services, 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.

As solicitor, we charge one-half of bond counsel's fee to render a requested opinion.

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.

What We Do Not Charge for

We do not charge for telephone expenses or electronic transmissions. We do not charge for our travel costs, such as fuel, meals, lodging, tolls, or mileage, except in the case of necessary airfares. We also do not 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.

On occasion, when developing a generally applicable opinion and guidance on a novel topic or change in the law, we will, with permission of individual clients, pool time across multiple clients so costs for such generally applicable opinions and guidance are minimized for each individual client.

File maintenance - We do not charge for opening, closing, retention or destruction of files. Our policy is to destroy physical and electronic files six years after final billing. Since each client should possess all of the official records contained in our files, return of files should not be necessary. However, you may request a file be returned. The return of physical files may incur shipping charges. If you wish to have your physical files returned, please contact Brett Porembski at bporembski@sweetstevens.com.

What Might Affect the Above

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 with which we have previously dealt. It is a source of professional pride that we are able to minimize chargeable time spent on many questions based on SSKW's collective experience and singular focus on advising public entities.

We welcome the opportunity to help you, we are confident you will be more than satisfied with the value of our services, and we look forward to working with you in the year ahead.

SWEET, STEVENS, KATZ & WILLIAMS LLP

Federal E.I. No. 23-2807059