

**IDAHO TRIAL LAWYERS
ASSOCIATION**

The Idaho Trial Lawyers Association is a voluntary membership bar association. Our members are regularly engaged in the trial of all types of lawsuits.

This pamphlet is presented to you as a courtesy of ITLA and your local attorney. We hope it will be of help to you in understanding the law.



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This pamphlet provided for your information by:

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***What is the
Contingent Fee?***

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If you are ever involved in a personal injury claim or in another civil case, you may be entitled to recover money damages. Many lawyers will offer you the options of being represented on the basis of a contingent fee, a flat fee or an hourly rate.

If you and your attorney agree to representation on a contingent fee basis, that means that you will not have any financial obligation whatsoever to pay your lawyer for his or her professional services unless you receive a settlement or win your case in court by a verdict.

Here's How it Works:

You select the law firm or the lawyer you prefer. You are entitled to ask the lawyer that you be represented on a contingent fee basis. Your case will then be prepared and prosecuted with the understanding that your lawyer or law firm will be paid a percentage of the settlement or judgment obtained in your case. That percentage will be determined by a written agreement between you and your lawyer at the time he or she accepts your representation. The contingent fee is an agreed percentage of the sum recovered.

What About Court Cost and Other Expenses?

Your attorney will explain to you any obligation which you have with respect to the advancement or reimbursement for the actual out-of-pocket expenses which are involved in the proper preparation and processing of your legal claim. Like your agreement on fees, your obligation for the payment of costs should be clearly written.

Be aware in advance that the cost of bringing a lawsuit may be frightfully high, especially to a person of modest means. A frank and thorough discussion with your lawyer will give you the information you need to make an important, informed decision about your legal representation.

What Happens if You Lose Your Case?

You still don't pay anything for the lawyer's professional services. If there is no settlement of the case, if you do not collect any money or if the court decision goes against you, you are under **NO OBLIGATION** to pay any attorney fees

What is the Advantage of Being Represented on a Contingent Fee Basis?

As you can see, the contingent fee plan gives you the opportunity of being represented by the best legal counsel available and having your legal rights fully protected, especially in circumstances in which you cannot afford to pay for competent legal assistance in advance. The contingent fee has proven to be an effective means for making the best legal representation available to all the people.

Remember -- if you have any question about your legal rights in any situation in which you have suffered injury or damages, you are entitled under our system of justice to seek out legal representation of your choice. Discuss your rights with an attorney. Almost always, the lawyer will offer you a consultation to discuss the prospects for such a claim and the possibilities of recovery in advance without charge.