

**MENU OF LEGAL FEES**

**FOR**

**COMMON BUSINESS AND CONSUMER  
LEGAL SERVICES**

**THE LAW OFFICE OF  
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***Litigation***

***Civil, Commercial and Consumer Litigation***

**Administrative Law, Unemployment Compensation Hearings, County and State Regulation** - Hourly at \$165 / hour.

Hearings before Administrative Law Judges and Proceedings before administrative boards under state law. This is similar to civil litigation, but the courts and procedures are somewhat less formal. Typical hearings include licensing matters, unemployment hearings when an employee claims unemployment compensation and administrative appeals.

Costs: varies, assume at least \$25 Fees: varies, Hourly.

**Ad Valorem (Property) Tax issues** - Hourly at \$165 per hour.

Tax protests, Appeals, rendering and homestead issues are generally involved in administrative matters. Tax suit defense and appeals of administrative hearings to District Court involve civil trial law. Costs: varies, assume at least \$25 Fees: varies, Hourly.

**Bankruptcy**

Many bankruptcy issues will be assisted by associated counsel. Motions for lift of stay in divorce or paternity suits or litigation not involving debt are requirements to proceed in the family court litigation. Creditors, proof of claim, motions for lift of stay, drop dead orders, 341 hearings and similar matters are generally handled by associated bankruptcy counsel. For Debtors, Chapter 7 bankruptcy which is straight liquidation, Chapter 13 repayment plans for debtors with a steady income and Chapter 11 business bankruptcy plans as well as Chapter 7 conversions are generally handled by associated counsel. Costs: varies Fees: Varies, Hourly.

**Collection, Collection of Judgments and Defense**

If you have a judgment, a promissory note, a sworn account or a secured claim, or if someone is attempting to collect a debt against you, this is the service you need. Matters might include

private sale, addressing fraudulent transfers and specialized trusts, attachment, sequestration, garnishment, turnover orders, foreclosure of lien, abstracting and execution, contempt and other remedies. Costs: varies Fees: varies, Hourly.

### **Commercial Litigation**

These services are designed to preserve and protect your rights if you have a dispute between businesses or between your business and the government and you either desire to go to court to enforce your rights or the other party is threatening litigation. Contract disputes, UCC matters, government problems which may or may not be resolved through administrative procedures, trade secrets, no-compete litigation, and disputes between investors or investors and managers as well as fraud and enforcement of ordinary contract rights would typically fall within this category. Costs: varies, at least \$250 Fees: varies, Hourly.

### **Consumer Litigation and Defense**

Consumer litigation involves the Texas Deceptive Trade Practices Act and even large businesses can be consumers for the purposes of that law. There are other specific consumer protections in the law which can be addressed if necessary. There are specific lists of things which might trigger this act, but it is based on deception. Costs: varies, assume at least \$250 Fees: varies, Hourly. A reduced hourly rate and a % may be allowed in some DTPA suits.

DTPA Defense 165.00 per hour.

750.00+

DTPA Plaintiff [consumer] % + \$75/hour + costs or \$165/hour 495.00+/1,100+  
Plaintiff pays \$75 per hour of the normal \$165 per hour charge and all costs and assigns any attorney's fees recovered and 18% of damages pre-suit, 28% post suit and 38% if motion for new trial or appeal filed. The percentage is in addition to the hourly charge. Damages are gross damages, calculated prior to any counterclaim or setoff and include any actual damages as well as statutory and other damages.

### **Petition for Occupational Driver's License**

A Texas driver's license may be lost or revoked for any of several reasons. Too many traffic tickets or too many tickets for failure to have insurance, having an accident without insurance, refusal to take or failing a breath test for alcohol, conviction for driving while intoxicated and other things can cause a person to lose their license to drive. Different circumstances require different procedures and five different procedures are used to obtain driving privileges for just the reasons listed in this paragraph for the loss of a license. Some circumstances create multiple suspensions of a driver's license and each suspension must be addressed. Operating a motor vehicle while a driver's license is suspended is a misdemeanor punishable by up to 180 days in jail and a \$500 fine. It also serves as a new case which may be grounds for revocation of a probation if the driver is on probation. A petition for an occupational license is a lawsuit filed against the State requesting the judge of the County Court at Law to issue an order permitting the

person to drive during certain limited times for certain limited purposes such as going to work, for groceries, school, etc... Occupational licenses are not always required, but you should discuss the matter with counsel. All DWI cases should utilize the administrative law hearing procedure in conjunction with DWI defense, if you timely bring it to the attention of the lawyer and can afford the procedure. Costs: varies, assume at least \$125 for administrative hearing subpoena & service, \$125 for county occupational license, plus you will need an SR22 for an occupational license and perhaps an interlock device. See Page 8 for DWI and licenses. Fees: Petition for Occupational License 2.7 450.00

### **Real Estate Litigation, Title, Restrictions & Evictions - Hourly**

Lawsuits over homestead and title, for enforcement and defense of deed restrictions and eviction and eviction defense as well as other lawsuits involving real estate are included in this area. Much of general litigation involves real property and the different areas are too numerous to list all of them, so you should discuss your particular problem with the lawyer. Costs: varies, assume at least \$250 Fees: varies, Hourly

### **Small Claims Court - Hourly**

Litigation of claims less than \$5,000.00 in the “people’s court” is generally handled by individuals, but attorneys may also use these courts for litigation. Costs: varies, assume at least \$75 Fees: varies, Hourly.

### ***Criminal Litigation***

#### **Appeals and Post Conviction Writs of Habeas Corpus - Hourly**

Appeals are written reviews upon the record by panels of judges, while post conviction writs are specialized appeals where evidence not otherwise part of the papers of the case may be considered. Costs: varies, assume at least \$200 Fees: varies

#### **Bail, Habeas Corpus and Getting out of Jail - Hourly**

Pre-Trial Services in many counties provides methods of getting out of jail, but many people post bonds to get out of jail. Habeas Corpus is one method of setting a bond and sometimes bond reduction hearings are necessary. To post a bail bond, security in the form of property and third party guarantees are generally required to assure the individual will appear in court to answer the charges against him. Some people have difficulty in obtaining a bond, such as people with immigration holds, people with parole revocation warrants, and people who have new charges while they are on probation or on bond. Costs: varies, assume at least \$25, plus 15% of the bond amount. Fees: varies, **BONDING SERVICES Misd. & Felony** (arranging for posting of Tarrant County Bond) -- Security for the bond and 15% of bond amount, (\$175.00 minimum) co-signed by parents and spouse. Bonding only as part of legal representation. Prior forfeiture (20%). Dallas, Denton and Wise County bonds may vary.

## **DWI and Texas Driver's License Matters**

Driving while intoxicated charges generally allow the accused to question the officers under oath on the record if the accused properly requests a hearing and has subpoenas issued and served upon the officers for an administrative law hearing with respect to the loss of the driver's license. This is a rare opportunity in the criminal law and should be used to full advantage if the accused can afford it. If you wait too long, you will lose this right. It also serves to give the accused a chance to retain a driver's license. If the accused waits too long, or if the administrative law judge suspends the license, the next step is to file a suit for a license to drive for work or other essential need, or an appeal with a suit in the county court requesting an occupational license. There is a separate suspension of a driver's license upon conviction of DWI, and a separate occupational driver's license might be obtained from the criminal court judge by special motion. The accused might not need an occupational license from the criminal court for a first DWI if probation is granted and they take a special class dealing with alcohol and driving within six months of the probation. Minors under the age of 21 with alcohol or drug charges and persons with a commercial driver's license should inform the lawyer of those circumstances at the first meeting. Defense of charges of driving while intoxicated is complex and involves questions of driving facts, field sobriety tests, the quality of the video, the quality of the officers, statements made, prior history, whether or not there was an accident or injury, preservation of evidence and testing of breath or blood. Every case is different, but there are so many DWI cases filed that many fact patterns become rather routine. There can be many reasons for suspension and revocation of a driver's license and there are several methods of addressing those situations. Costs: varies, expert witnesses fees can be substantial. See occ. license costs on page 6. Fees: varies Driver's License Suspension Administrative Hearing 3.6 **600.00** It is suggested that all DWI cases have a formal administrative hearing!

Petition for Occupational License 2.7 **450.00**

DWI Criminal Court Occupational Motion at plea .8 **130.00**

DWI Criminal Court Occupational, separate date 1.4 **230.00**

DWI Criminal Representation - see Felony and Misdemeanor, but subtract \$150 from criminal representation where ADM hearing is paid in conjunction with DWI representation.

## **Expunction**

Certain arrests may be erased from your record by filing a lawsuit to destroy the records of the arrest. Cost: varies, assume \$170; Fees: **\$495.00**

## **Felony and Misdemeanor Offenses**

Felony matters send people to state jails and prisons and are filed in the District Courts while misdemeanors are handled in the county courts and the accused face the county jail and fines. The accused has several rights, such as the right to remain silent, the right to have an attorney appointed if he can not afford an attorney (though if the accused is on bond, courts often presume they can also afford an attorney), the right to have a jury sit in judgment and the right to confront those making accusations and to question them under oath and the right to bring witnesses to



testify on his behalf. Some people decide to represent themselves and others wait too long to hire lawyers. Some people have court appointed lawyers and some of those lawyers are very good, given the time they can afford to spend on individual cases. It is your life and your freedom and your money and your reputation and permanent record, so consider well what course of action you choose. I was formerly employed by the Staff Counsel for Inmates in Huntsville and have experience in legal matters involving Murder, Kidnaping, Aggravated Robbery, Aggravated Sexual Assault, Theft, Burglary, Drug Charges, DWI, Manslaughter, Enhancements, Trials, Appeals, Habeas Corpus and other matters. Costs: varies. Expert witnesses and investigators can be substantial. Assume at least \$25 Fees: varies

**Travel - Round Trip to Denton or Decatur 1.8 300.00**

**Misdemeanor**

Plea Bargain Agreements 2.1 **350.00**  
 Prior arrest .8 **130.00**  
 Reset 1.2 **200.00+**  
 motions 2.5+ **410.00+/-**  
 Court Trial & Prep. 10+ **1,650.00+/-**  
 Jury Trial & Prep. 14+ **2,300.00+/-**

**FELONY [trials and representation may vary widely!]**

basic negotiation & Plea 7 **1,150.00**  
 motions 4 **650.00+**  
 Court Trial & Prep. 14++ ??? **2,300.00+**  
 Jury Trial & Prep. 20++ ???? **3,300.00+**  
 enhanced or prior: 2+ **330.00+**  
 two priors 8+++ **1,320.00+**

multiple priors, deadly weapon, first degree felony, death, quantity drugs, special prices

**Special Procedures, IN ADDITION TO THE ABOVE:**

11.07 Habeas Corpus material review 7 **1,150.00**  
 Filing 11.07 Writ in Austin; Court Crim. App. 12 **1,995.00**  
 Appearing for PR bond 3 **495.00**  
 add to basic representation  
 Habeas Corpus [bond reduction]  
 add to basic representation 3 **495.00**  
 Direct Appeal from 16 **2,650.00+**  
 PDR from 16 **2,650.00+**  
 Draft non-prosecution affidavit **200.00+**

FELONY offenses generally include manslaughter, robbery, third DWI, burglary, indecency with a child, sexual assault, possession or delivery of cocaine, aggravated assault, arson, credit card abuse, and more serious offenses. Misdemeanors include DWI, DWLS, POM, petty theft, carrying a pistol, assault, family assault, evading arrest, prostitution, etc... Multiple criminal charges in same misdemeanor court are 33% off the lesser charge when disposed of at the same time. Multiple charges in different County District or County Courts in the same county are 20 % off the lesser charge. Discounts may not be joined. Resets for misdemeanors at plea

agreement rate cost a minimum of \$200 and may be greater due to time. Felony resets on plea agreement cost a minimum of \$230.00 and may be greater due to time. State Jail Felony plea agreement on first appearance **\$895**. First offense misdemeanor plea agreement on first appearance **\$350.00**

### **Juvenile Offenses**

Children under the age of seventeen are not generally tried in the same justice system as adults. Instead, they have a special juvenile court system with different rules and different procedures and protections and programs for punishment and rehabilitation. Some children however may find themselves transferred to the adult system or to prison after contact with the juvenile justice system. Children as well as adults have the right to remain silent and this is one time when they should clearly abide by the adage that children should be seen and not heard. Have a lawyer for your child well before going to court the first time because the juvenile courts often move much more quickly than adult courts. Costs: varies. Expert witness fees can be substantial. Assume at least \$25 Fees: varies, Hourly.

### **Probation Revocation or Early Termination**

Government motions to revoke, extend or modify a probation or to adjudicate a deferred adjudication are easier for the government to prove than an initial criminal charge. There are several technical attacks on these motions and there may be things which an attorney can counsel the probationer to do to best prepare to defend these motions. Also, many ordinary types of probation may be terminated early to the great benefit of the probationer, or changed to “mail in” *pro forma* probation! Costs: varies, assume at least \$25 Fees: varies, Hourly.

### **Traffic Tickets and Municipal Offenses**

Traffic tickets and other city charges can be very expensive. Many matters of this nature can be handled by requesting a defensive driving course or by requesting deferred adjudication and paying an administrative charge. Whether it is cost effective to try the charge before a jury depends upon the particular circumstances. It might cost more to try the case than it would to pay a fine or an administrative charge with deferred adjudication. To request a defensive driving course or deferred adjudication for a traffic ticket, the attorney charges \$65 for the first ticket and \$45 for each additional ticket. An hourly rate is charged to take any other actions on traffic tickets and municipal offenses. Costs: varies, assume at least \$25 Fees: varies, \$65 for the first ticket and \$45 / additional ticket.

### **Victim Representation**

If you were a victim of a drunk driver or other criminal, you may have a way to recover money for your damages without paying an attorney in advance. Call.

## ***Family Litigation***

### **Adoption**

Adoptions generally fall into one of two categories. Both are uncontested. If you wish to adopt a child over the objection of a parent of the child, the government is generally involved in termination of the parental rights and in placement of the child, and that is charged hourly. An ordinary uncontested adoption either involves an adoption agency or is where the birth mother and the adoptive family meet without an intermediary. It is illegal to sell a baby and private adoptive parents must be careful to follow the rules. An intermediary requires a special license and there are strict rules there as well. An attorney prepares papers for termination of the parental rights of the birth parents and adoption by the adoptive parents. An ad litem may be necessary for the father of the child if his identity and/or whereabouts are unknown. An ad litem is generally appointed for the child. Sometimes one attorney will handle the termination and another will handle the adoption. Social studies and investigations are required. In the stepparent adoption, the parental rights of one parent are terminated, a social study is done and perhaps an attorney ad litem is appointed to represent the interests of the child and a stepparent adopts the child. A social study may cost in the neighborhood of \$400 to \$700 and an attorney ad litem might charge in the neighborhood of \$500 to \$750. A suit is filed to terminate parental rights with an affidavit of the parent assenting to the termination. After the social study and a police background check, the court hears the matter of the termination and adoption and assuming the court grants the adoption, the parties then apply to change the birth certificate of the child. Child support ordered against a parent terminates as of the date of the termination, but will continue to accrue until the date the termination is granted. Costs: varies, assume at least \$800 to \$1,500 Fees: varies, estimated at \$995.00 for stepparent adoption

### **Application for Family Violence Protective Order**

The District Attorney in many counties has an office dedicated to assisting people obtain orders for protection from family violence. Some cities institute special orders in municipal court when they arrest a party for family violence. Private attorneys may also request the granting of a family protective order. Private attorneys also defend people against whom these orders are sought. Violation of a protective order, including being even too close to the prohibited residence may be enforced by the police by their taking the offender to jail and charging him or her with a class "B" misdemeanor punishable by a fine and up to six months in jail. Costs: varies, assume at least \$25 Fees: varies, Prosecution \$750, Defense \$650

### **Children's Protective Services (CPS) Defense.**

This agency will sometimes simply investigate and other times will physically remove a child or children from a home and will be witnesses to admissions of crime. When they start an investigation into your home or your children or grandchildren, you will want a lawyer as early as possible in the investigation. You might want to have a lawyer before your first substantive discussion with CPS. Costs: varies, assume at least \$25 Fees: varies, \$950+

## **Divorce, Custody, Visitation, Support, Property & Debt**

Divorce takes at least sixty days to give the parties a chance to “cool off” before making it final. Texas has “no fault” divorce and is a community property state. If you are considering a divorce, you should keep in mind that everything you earn or purchase might be considered as community property and you should seek legal counsel early in the process. A procedure is started by filing a petition with a court having jurisdiction over the matter. Generally, a decree of divorce with a standard possession order and a standard support order with wage withholding is prepared and a waiver of service is prepared. The decree and waiver are given to the other party with a copy of the petition and the other party signs the waiver before a notary public and signs the decree and returns those two papers. When the sixty day time period expires, the client attends court with the lawyer and testifies for less than five minutes before a judge who normally then grants the divorce. If the issues are not agreed, typically the petition is filed and if there are children or disputes over a residence, a hearing takes place for temporary orders pending a final determination of the case. Often, temporary orders show the path for a final agreed settlement, but if the parties can not agree, differing degrees of discovery and pretrial procedure take place and then the case is finally tried before a judge or jury. Most trials take place before the judge sitting without a jury. Sometimes third parties are brought into the suit for fraud, such as where one spouse gives or hides marital property with a sibling, parent or lover. Costs: assume at least \$250 Fees: varies, Minimum \$395 uncontested (with an attorney in court), \$1,095 contested.

### **DIVORCE**

no children, no property, conference with attorney, fee est hrs  
with waiver and all papers, but no attorney in court. 265.00 1.6 a

### **ADD**

personalty (clothes and a car) <u>minimum</u>	50.00	.3..	b
real estate from	230.00	1.4..	c
multiple real estate from	320.00	2.0..	d
children 1st	320.00	2.0..	e
each additional	100.00	.6..	f

(assuming standard visitation and conservatorship orders)

QDRO (to divide pension) <u>from</u>	410.00	2.5..	g
service required (contested) from or if spouse retains an attorney	495.00	3.0..	h
temporary restraining order	210.00	1.2.	i
temporary orders hearing from	495.00	3.0..	j
temporary orders	130.00	.8.	k
inventory & appraisalment from	410.00	2.5..	l
disclosure sent from	130.00	.8	m
disclosure answered from	175.00	1.1	n
admissions sent from	230.00	1.4	o
admissions answered from	265.00	1.8	p
production sent (varies) from	230.00	1.4	q
production answered (varies - hourly)			

depositions (hourly, est. 350.00 to 700.00 per party, plus court reporter fees of 200.00 to 600.00 per party for total of est. 500.00 to 1,200.00/pty)

interrogatories sent from	280.00	1.7	r
interrogatories answered from	330.00	2.0	s
trial other than custody from.....	2,475.00	15	t
custody a genuine issue at any time in the proceedings from.....	4,125.00	25	u
obtain certified copy of decree	80.00	.5	v
telephone calls with client after the second call (per quarter hour)	50.00	.3	w
name change with divorce	80.00	.5	x
thirty day marriage waiver request	130.00	.8	y
miscellaneous per hour	165.00	1.0	z
Round trip Denton/Wise County	300.00	1.8	zz

minimum 395 uncontested with attorney in court; 1095 contested (not by waiver).

e.g. for Tarrant and Dallas divorces:

1. Two cars, no kids, waiver divorce with attorney [a] \$265.00 + [b] \$50, but minimum fee applies, so the total fee in this case is .... 395.00
2. Car, house, two kids, waiver divorce, no pensions [a+b+c+e+f] 965.00
3. Husband beats wife, she wants immediate help, need child support, he refuses to sign waiver three children, one car, no real estate, no pensions. [a+b+e+f+f+h+i+j+k] 2,165.00
4. Service required / both sides have counsel, real estate, one pension, two children, agreed temporary orders, interrogatories & disclosure each side, automobiles, agreed decree. [a+b+c+e+f+g+h+k+m+n+r+s] 2,915.00
5. No children, two cars, one house, spouse retains an attorney, no pensions, no temporary orders, entry of an agreed decree. [a+b+c+h] \$1040.00, but minimum of 1095.00

DIVORCE DEFENSE 895.00+

### **Enforcement of Decree for Support & Visitation**

Requesting the Court to enforce a decree in a suit affecting the parent-child relationship by contempt of court or otherwise, and in the alternative seeking clarification of the decree, in addition to other possible means of enforcing the decree involves forcing someone to do something which they seem otherwise unwilling to do. The various Attorneys general of the several states often pursue enforcement of child support, but many times parties prefer to use the services of private attorneys. Some people feel that a private attorney is more responsive to their individual wishes and needs. Costs: varies, assume at least \$25 Fees: varies,

GENERAL DECREE ENFORCEMENT	950.00+
DECREE ENFORCEMENT DEFENSE	795.00+

**Modification of Orders with respect to children**

There are many different aspects of decrees which parties may desire to modify over time. People with children who have decrees in the court system are in formal proceedings and must perform behave in a formal manner. It is insufficient to simply have handshake agreements where issues of child support and custody are involved. For your protection, get your agreement in writing and signed by the judge. This is accomplished by a motion to modify the prior decree and an order modifying the prior decree. If a proposed modification is not agreed by the parties, it needs to be decided by the judge. Costs: varies, assume at least \$25 Fees: varies,

SUPPORT	795.00+
VISITATION	1,495.00+
AGREED & WAIVER	525.00+
CUSTODY OVER A YEAR	4,800.00+
CUSTODY LESS THAN A YEAR	6,750.00+
AGREED DECREE & WAIVER	895.00+

**Name Change, Grandparent Rights, Habeas Corpus, etc...**

Changing the name of a child requires notice to the parents and does not terminate rights to visitation or obligation to pay child support. Grandparents more often seek grandparent rights through the courts. Habeas Corpus is the mechanism by which a child is delivered to the party who rightfully has possession of the child under the law. Emancipation is the procedure by which the disabilities of minority are removed for a special purpose or for general purposes. Costs: varies, assume at least \$200 Fees: varies, Hourly.

GRANDPARENT ACCESS	3,495.00+
HABEAS CORPUS, TX DECREE	2,250.00+
HABEAS CORPUS, FOREIGN	2,750.00+
TX DECREE, FOREIGN HABEAS	CALL
NAME CHANGE	650.00+
EMANCIPATION	650.00+

**Parental Rights Termination**

Unless an adoption is pending, and where a party resists termination, a private termination of parental rights is not a simple task. Defense of a petition for termination of parental rights may be paid at the expense of the state or the party requesting termination if the party resisting termination is not able to afford a lawyer. In rare circumstances, I might accept a private termination, but it is more common to resist termination by vigorous defense and counsel to the party fighting the termination. Costs: varies, at least \$250 Fees: varies, Hourly.

### **Paternity Establishment and Defense of Paternity Suits**

Some people prefer private attorneys to the Attorney General, believing the lawyer they hire to be more responsive to their will and needs and to avoid having thousands of dollars of retroactive child support assigned to the government instead of to the parent. Costs: varies, assume at least \$350 for party seeking to establish paternity. Fees: varies, Hourly.

PATERNITY	1,050.00+
PATERNITY DEFENSE	675.00+

### **Post Divorce Property Divisions and Property Enforcement**

If the decree did not divide the property or it needs enforcement. Costs: varies, assume at least \$25 Fees: varies, Hourly. Petitioner \$950.00+, Defense \$900.00+

### **Power of Attorney for Care and Schooling of Children**

Should you need to place your child with someone else temporarily, you will wish to give them a power of attorney so they can make medical decisions and otherwise care for the child. Many school districts provide a form for the parent and the care provider to sign so the child can attend school, if you only ask them. Costs: varies, assume at least \$25 Fees: \$ 65.00

### ***Personal Injury Litigation***

#### **Animal Attacks**

Dogs are generally the culprit, but some people keep exotic animals. Domestic animals which have previously exhibited any vicious tendency, exotic animals, failure to fence or leash the animal and other matters are important considerations. Bring as much information and evidence as you can.

#### **Assault and Intentional Tort**

If somebody hurts you on purpose or damages your property on purpose, or if they attempt to hurt someone else and accidentally hurt you instead, do not take the law into your own hands. Take them to court.

#### **Attractive Nuisance and Injured Children**

Children are inquisitive by nature and by reason of lack of experience and education are more prone to injury from dangerous conditions which might not be as dangerous to an adult. Please take precautions to prevent a child from injury on your property or by your actions. If your child is injured on someone's property which was not "child proof" you may wish to seek counsel on the matter as there may be a recovery for damages.

## **Automobile Accident**

Please bring the date of the accident and the street, block and intersection along with all papers and information you have with respect to the accident. Photographs are good if you have them. When you go to the emergency room, allow the physicians to treat you and do not be so “brave” as to deny treatment or to fail to inform them of all the particulars of your pain and circumstances. You may need a letter of protection to a treating physician. The adjuster may desire to tape record an interview with you before you have the opportunity to retain a lawyer. You might wish to retain counsel before discussing the matter with the adjuster.

## **Dangerous Drugs**

If you think you might have been damaged by the use of prescription medication, please list the medication and the dates of your use with the dosage and who gave you the medication and why, and do not throw away the bottle. Are you sure the medicine in the bottle is the same as on the prescription? Some medicines have resulted in national litigation. Some cases of this nature may be handled with associated counsel, especially with national litigation.

## **Medical Malpractice**

People see doctors generally because they are not well. Some do not get better and some die. Sometimes the doctors make a mistake. Other times they fail the standard of care for a physician. If the case seems appropriate, your case may be referred to a medical malpractice attorney.

## **Nursing Home Negligence**

As doctors treat those with illnesses, nursing homes care for the aged and infirm. If the nursing home does not properly care for their wards, court action may be warranted.

## **Personal Injury & Wrongful Death Generally**

Serious injury and death have several causes. Texas abandoned the contributory negligence standard with a proportionate responsibility standard. People are responsible for their actions in proportion to the damages those actions cause. For example, if you are 25% responsible for your injury and someone else’s negligence is 75% responsible for that injury in breach of their duty to you, they should pay 75% of your damages. There are limits to this and there are time limits for you to pursue your claim. The attorney’s fee is 33 1/3% pre-suit; 40% post-suit; 45% IF Motion for New Trial or Appeal is filed. (Percentage based on gross recovery)

## **Premises Liability, Slip and Fall, Negligent Security**

Dangerous conditions on property, unmarked slick floors and even lack of security from assault where the security guards were not as active as they should have been are circumstances which may lead to liability for damages.

## **Products Liability**

Dangerous products and failure to warn of dangers, even though the use of the particular product



when it was dangerous might not be the first thing coming to mind are common grounds for suit. Don't be afraid to ask if your injury is compensable from the manufacturer and vendors who placed the product into the market or who failed to warn of the danger of the product.

### **Property Damage Only**

The extent of the property damage drives the analysis of whether the benefits of hiring a lawyer outweigh the costs. If you believe the insurance company is not negotiating or behaving in good faith, you may wish to speak with counsel.

### **Worker's Compensation**

Sorry, but this is not my cup of tea. There is an ombudsman and there are other lawyers who advertize in this area of law. If you were injured at work through the negligence or bad acts of a third party then please feel free to call.

### ***Probate Court Proceedings***

#### **Guardianship (incompetency or minor)**

##### **Guardianship of the Estate**

Costs: varies, assume at least \$750 Fees: varies, Guardianship over the estate (where no power of attorney or trust was properly put into place before need) \$ 1,995.00 and up for smaller estates plus costs, ad litem fees and bond premiums. This can be significantly more, depending on the extent and nature of any property. If the guardianship is contested, this can be a substantially greater sum.

##### **Guardianship of the Person**

Costs: varies, assume at least \$500 Fees: varies, Guardianship over the person (uncontested). \$995.00 plus costs, ad litem fees, etc... and may be more than this.

##### **Involuntary Commitment (Danger to self or others)**

Costs: varies, assume at least \$250 Fees: varies, Hourly

#### **Probate With a Will**

##### **Foreign Will**

Costs: varies, assume at least \$125 Fees: varies, Hourly

#### **Independent Administration With Will**

This is the standard and ordinary probate of a will, assuming an ordinary modest estate without litigation of disputed issues. Costs: varies, assume at least \$125 Fees: varies, Simple Will \$ 650.00 plus costs (estimate 4 + hours)

### **Muniment of Title**

Where a will must be probated to show proof of title, but no administration of the estate is required. This can sometimes be used even after the ordinary four year statute of limitations has expired for the ordinary probate of a will.

Costs: varies, assume at least \$125 Fees: varies, \$ 500.00

### **Will Contests & Testamentary Libel**

When undue influence, forgery , lack of mental capacity or other reason for the will not to be valid would prevent you from receiving your inheritance or where the person writing the will writes slanderous things in the will.

Costs: varies, assume at least \$750 Fees: varies, Hourly

### **Probate Without a Will**

#### **Affidavit of Heirship & Small Estate Proceeding**

Small Estate procedures are more rarely used, but there are times they may be useful.

Costs: varies, assume at least \$200 Fees: varies, Hourly

### **Application to Determine Heirship**

Court determination of heirs. Generally a probate or an affidavit of heirship is used, but at times this is the vehicle of choice. Costs: varies, assume at least \$200 Fees: varies, \$995.00 and up, plus costs, ad litem fees, etc...

### **Dependent Administration of Estate**

Avoid this by preparing a valid will. Costs: varies, assume at least \$225 Fees: varies, Without a will, dependent administration. \$ 1,950.00 and up for smaller estates plus costs, ad litem fees and bond premiums. This can be significantly more, depending on the extent and nature of any property and the number, location and disposition of the heirs.

### **Independent Administration Upon Application**

Should all the heirs agree to have an independent administration, they can save some money. Costs: varies, assume at least \$225 Fees: varies, Hourly

### **Partition of Property & Sale of Property of Minor**

For property less than \$50,000.00 there is a separate procedure which allows the property to be sold. Costs: varies, assume at least \$225 Fees: varies, Hourly

## *Transactions*

### *Affidavits, Elder Law, Wills, Trusts and Powers*

#### **Affidavits of Heirship**

Documents which are generally signed by two neutral parties concerning the deceased and his family relations and they are filed in the county records. They are a common method used instead of probate in smaller estates. Costs: varies, assume at least \$125 Fees: varies, **\$350.00+**

#### **Designation of Guardian**

Who would you want to be the guardian if you could say so before need? Fees: **\$ 100.00**

#### **Do Not Resuscitate Order (DNR)**

Many hospice providers will provide this free of charge. If you do not have a hospice provider, I will draft this for you. Fees: **\$ 65.00**

#### **Family Limited Partnerships**

The spouse most likely to have a creditor is the general partner with rights to make decisions on the property, but without ownership, and the remainder of the family owns the property without the rights to make decisions. Costs: varies, assume at least \$25 Fees: varies, \$750+

#### **Joint Tenancy and Community Property Agreements**

Another way to avoid probate is Joint Tenancy with Right of Survivorship. These issues can be discussed in conjunction with other marital property agreements.

Costs: varies, assume at least \$25 Fees: varies, Hourly

#### **Living Trusts (“Loving” or “Living” or Inter Vivos Trusts)**

I do not think most people need these, unless they are concerned that they may have a stroke. If your medical condition is subject to having a stroke, in addition to your power of attorney, you may well want to place your assets in a trust to avoid the problems and expenses of a guardianship of the estate. Costs: varies Fees: **\$ 1,275.00** and up. This is the estimate for only the establishment of the trust itself. Additional documents such as deeds, pour-over wills and work in transfer of titles will generally add between \$250.00 to \$600.00 to the price of this instrument, for a total estimated range from **\$1,275.00 to \$1,875.00**

#### **Living Wills**

Oddly enough, this instrument, also called a Directive to Physicians, directs the attending physician to “pull the plug” if your medical condition deteriorates past a certain point and you are only being kept alive by machine. Fees: One **\$ 85.00**, Two **\$ 130.00**

### **Nursing Home Medicaid Planning**

Cases will be handled by associated counsel. Maximize retention of assets for distribution to the persons of natural bounty and affection within the limits of the law when the potential exists that all assets may be wasted or consumed by the nursing home. Fees: Hourly.

### **Powers of Attorney for Care and Schooling of Children**

See Page 15 in Family Law. Fees: \$ 65.00

### **Powers of Attorney for Property**

People do not always die, sometimes they have a stroke, sometimes they are absent on business, and sometimes they lose the ability to transact business, care for themselves or sign their name. Rather than go to the expense and trouble of a guardianship over an estate, prepare powers of attorney. They are also useful when one party is absent and business must be transacted.

Fees:           One                   \$ 85.00    Two (H&W)           \$ 130.00

### **Powers of Attorney for Health Care**

Much as a living will, this instrument gives a party the right to pull the plug, but gives them discretion in the decision and gives broad discretion over other medical decisions as well.

Fees:           One                   \$ 85.00    Two                   \$ 130.00

### **Prenuptial and Postnuptial Agreements**

Organized with wills and powers as a planning instrument, these documents provide for division of property in contemplation of marriage and after marriage. There are as many ways to address property as you can think of what you would like to do. Fees: varies, Hourly

### **Wills and Signing Ceremonies**

Wills indicate who you desire to take your property after your passing. Intestate succession is more expensive than probate of a will and in Texas, probate is not so difficult or expensive as elsewhere. This is a planning tool and a will not only plans for your property, but also for the care of your minor children as well. A testamentary trust can also provide for the provision of your estate to your children over a period of time and with protection from creditors and youthful enthusiasm in spending. Some will signing ceremonies may be videotaped or conducted at a residence if the parties or the attorney might deem it advisable. Costs: varies, assume at least \$25 Fees: varies, Simple Will (No children of prior marriages, no unusual provisions, no tax planning or testamentary trusts.)

One will	<b>\$ 100.00</b>
Husband & Wife alike	<b>\$ 160.00</b>
Simple Will with non tax planning trust for minors.	
One will	<b>\$ 130.00</b>
Husband & Wife alike	<b>\$ 200.00</b>

Custom Will with testamentary trust for minor children (includes some custom drafting for children of prior marriage or other small deviations from standard will)

One will **\$ 225.00**

Husband & Wife similar **\$ 385.00**

Tax and Estate planning will with AB Trust

Husband and Wife **\$ 775.00 to \$1,550.00.** This instrument is for couples whose entire estate, including pensions, life insurance, property, etc... may exceed \$ 600,000.00 at death. The savings this estate planning instrument creates vastly exceed the cost of the instrument. The law allows families with estates between \$ 600,000.00 and \$ 1,200,000.00 to take advantage of a special estate planning device which can save up to almost a quarter of a million dollars in estate taxes. If you choose to use this device now, your heirs may receive a substantially greater part of your estate, rather than giving it to the government.

Videotaped Will Ceremony. \$150.00 per will

House call or Hospital call for will signing and/or drafting:

HEB (Hurst, Euless, Bedford, Colleyville, N. R. Hills) - \$75.00

Local (E. Fort Worth to Irving to Arlington to Southlake) \$ 130.00

Other parts of Tarrant, Dallas, Denton and Wise Counties \$ 200.00

### **Will Family Package**

Includes Husband and Wife simple wills with minor trust provisions, Husband and Wife durable powers of attorney, and two durable powers of attorney for health care or living wills, singly priced at \$ 560.00. Fees: **\$ 385.00**

### ***Business Transactions***

**Assumed Name Certificate (DBA)** Cost: 25, Fee: \$65.00

**Contract Drafting and Review (Hourly, requires a consultation)**

**Dissolution and Business Closing (Hourly, requires a consultation)**

### **Incorporation**

New business corporation, incorporation of an existing business (Subchapter C or S) and nonprofit corporations. Gives some protection from creditors, but there are taxes.

Costs: varies, For Profit \$400, Nonprofit \$250 Fees: varies, \$400+

### **Joint Ventures**

Similar to a partnership for a particular enterprise. Fees: 330+

## **General Partnerships**

Lacks liability protection of a corporation, but avoids certain taxes. Fees: varies, 330+

## **Limited Partnerships**

Investment vehicle which provides some liability protection to the “silent partner.”

Costs: varies, assume at least \$25 Fees: varies, 350+

## **Secured Transactions and Sales**

A secured note places you in a better position if the purchaser fails to pay than you would be with a bare promise to pay or unsecured note. If you want to sell with payments over time, do it with a security agreement. Costs: varies, assume at least \$25 Fees: varies, Hourly

## ***Real Estate***

### **Assumption, Wraparound Transaction & By Owner**

Mortgage company fees may increase costs. If you are selling or purchasing real estate without a new loan, this is the normal method. Includes a title quick search without a title policy.

Costs: varies, assume at least \$150 Fees: varies, ASSUMPTION \$ 550.00+

**(clean, no bankruptcies, second liens, defaults or other problems or time consuming issues)**

### **Clearing Title Problems**

Title problems more often than not follow assumption or “by owner” transactions where either no lawyer was involved or no title policy or title search was done. Fees: varies, Hourly

### **Contracts to Purchase or Sell Real Property**

Fees: varies, depending on the nature of the transaction.

### **Deeds, Notes, Deeds of Trust & Contracts for Deed**

Costs: varies, assume at least \$25 Fees: varies, (on nature and value of transaction)

**Prices assume full information & modest residential properties.**

<b>DEED</b>	<b>\$ 100.00+</b>
<b>QUIT CLAIM</b>	<b>\$ 100.00+</b>
<b>DEED OF TRUST</b>	<b>\$ 130.00+</b>
<b>DEED OF TRUST TO SECURE ASSUMPTION</b>	<b>\$ 165.00+</b>
<b>NOTE</b>	<b>\$ 65.00+</b>
<b>CONTRACT FOR DEED</b>	<b>\$ 260.00+</b>
<b>PARTITION</b>	<b>\$ 395.00 +</b>
<b>PARTITION AND SALE</b>	<b>HOURLY</b>
<b>HOMESTEAD DECLARATION (collection)</b>	<b>\$ 165.00+</b>
<b>AD VALOREM TAXATION PROBLEMS</b>	<b>HOURLY</b>

<b>LANDLORD TENANT DISPUTES</b>	<b>\$ 495.00+</b>
<b>REVIEW REFINANCE DOCUMENTS</b>	<b>\$ 330.00 +</b>
<b>REVIEW DOCUMENTS FOR CLOSING</b>	<b>\$ 330.00 +</b>

**Deed Restrictions & Home Owner’s Associations**

Creation of deed restrictions and Home Owner’s Associations. Enforcement is listed under real estate litigation. Costs: varies, assume at least \$35 Fees: varies, Hourly.

**Foreclosure under Deed of Trust or Contract**

Costs: varies, assume at least \$25 Fees: **\$ 595.00 +** (varies, Junior liens additional)

**FSBO (For Sale By Owner)**

Complete transaction (simple contract, third party financing, review lender’s documents, discuss survey, attend closing for questions) Costs: varies, assume at least \$35, Fees: \$495.00 +

**Leases**

Costs: varies, assume at least \$25 Fees: varies,

<b>23M RESIDENTIAL LEASES</b>	<b>\$ 130.00+</b>
<b>23N RESIDENTIAL LEASES WITH OPTION</b>	<b>\$ 260.00+</b>
<b>23O COMMERCIAL LEASES</b>	<b>\$ 200.00+</b>

**Lender and Investor Representation & Documentation**

Costs: varies, assume at least \$25 Fees: varies, Hourly.

**Notices, Affidavits & Miscellaneous**

Costs: varies, assume at least \$25 Fees: varies,

<b>LEASE OR DOCUMENT REVIEW</b>	<b>Hourly @ 165</b>
<b>OTHER REAL ESTATE MATTERS &amp; DRAFTING</b>	<b>Hourly @ 165</b>
<b>MUD NOTICE (INFO/NO INFO)</b>	<b>\$ 60.00/120.00</b>
<b>SPECIAL MUD NOTICE (INFO/NO INFO)</b>	<b>\$ 60.00/120.00</b>
<b>ESTOPPEL LETTERS (EG. HOMEOWNER'S ASSN)</b>	<b>\$ 50.00+ (VARIES)</b>
<b>RESTRICTIONS NOTICE (WITH INFO./WITHOUT)</b>	<b>\$ 50.00/120.00</b>
<b>AFFIDAVITS, ETC. (NOT-ME, D&amp;L, MARITAL, ORAL REP.) (VARIES)</b>	
<b>RELEASE OF LIEN</b>	<b>\$ 50.00</b>

**Subdivision and Development**

Different Counties and Cities have requirements for subdividing land and developing the land. Legal counsel is often required in these matters. Costs: varies, \$25+ Fees: varies, Hourly

## **Title Insurance & Escrow Transactions**

Title policies issued and real estate transactions closed. Tax free section 1031 exchanges arranged. Purchase, Sale, Construction, Refinance of Farm, Ranch, Residential & Commercial  
Costs: varies, SPECIAL Fees: varies, Hourly.

## ***General Legal Issues, Policies and Other Legal Matters***

### **Immigration and Naturalization (INS)**

A consultation is required and some matters may be handled with associated counsel.  
Costs: varies, assume at least \$25 Fees: varies, Hourly

### **Matters not otherwise specifically listed:**

The listed matters are simply the most common consumer and general business matters. Many other types of legal matters may be handled in this office. You may have been referred to this office by someone who had or knew of a similar case to yours. If you have legal questions or need legal representation, please feel free to ask. If I am able to help you, then your question was well directed. If it is not something I handle, or if it is something which requires a special expertise, I can refer the matter or associate the particular expertise.

Costs: varies, assume at least \$25 Fees: varies, Hourly

### **Policies, Procedures and Attorney - Client Relationship.**

Basil Hoyl is available to speak to groups of five or more without charge on topics of law by prior appointment. A free initial consultation of twenty minutes may be obtained on any case. Our Law Office and Title Insurance operations are service-oriented. In representation, responsibility for court costs, etc..., rests solely upon the client. The charge is \$165.00 per hour. An advance retainer must be paid in most cases. The retainer purchases a block of time up to and including the equivalent of one hour for every \$165.00 paid. Failure of the client to make payment or keep the attorney informed of the client's location are grounds for withdrawal of the attorney from representation. Other grounds for withdrawal may also exist. The prices herein contained are only estimates of the charge required for specific types of legal work. Rates are subject to change without notice before execution of a written contract and payment of the first retainer. Payment plans may be available in certain cases. Basil Hoyl retains the right to associate counsel and retains the right to communicate with any referring attorney regarding the progress of the case. Basil Hoyl is licensed by the Supreme Court of the State of Texas as an attorney and counselor at law. He is not certified by the Texas Board of Legal Specialization. He is engaged in the GENERAL PRACTICE of law with emphasis in the trial of cases and in real estate transactions. Most cases settle without a contested trial, but some cases must be tried. Representation and services are limited in scope and duration to time paid in advance by funds actually received, at the rate of \$165.00 per hour. The retainer is not refundable under any circumstances. Any prior negotiations are merged into the contract. Referral fees may be paid to attorneys who refer cases to this attorney. The retainer and any subsequent retainers are earned

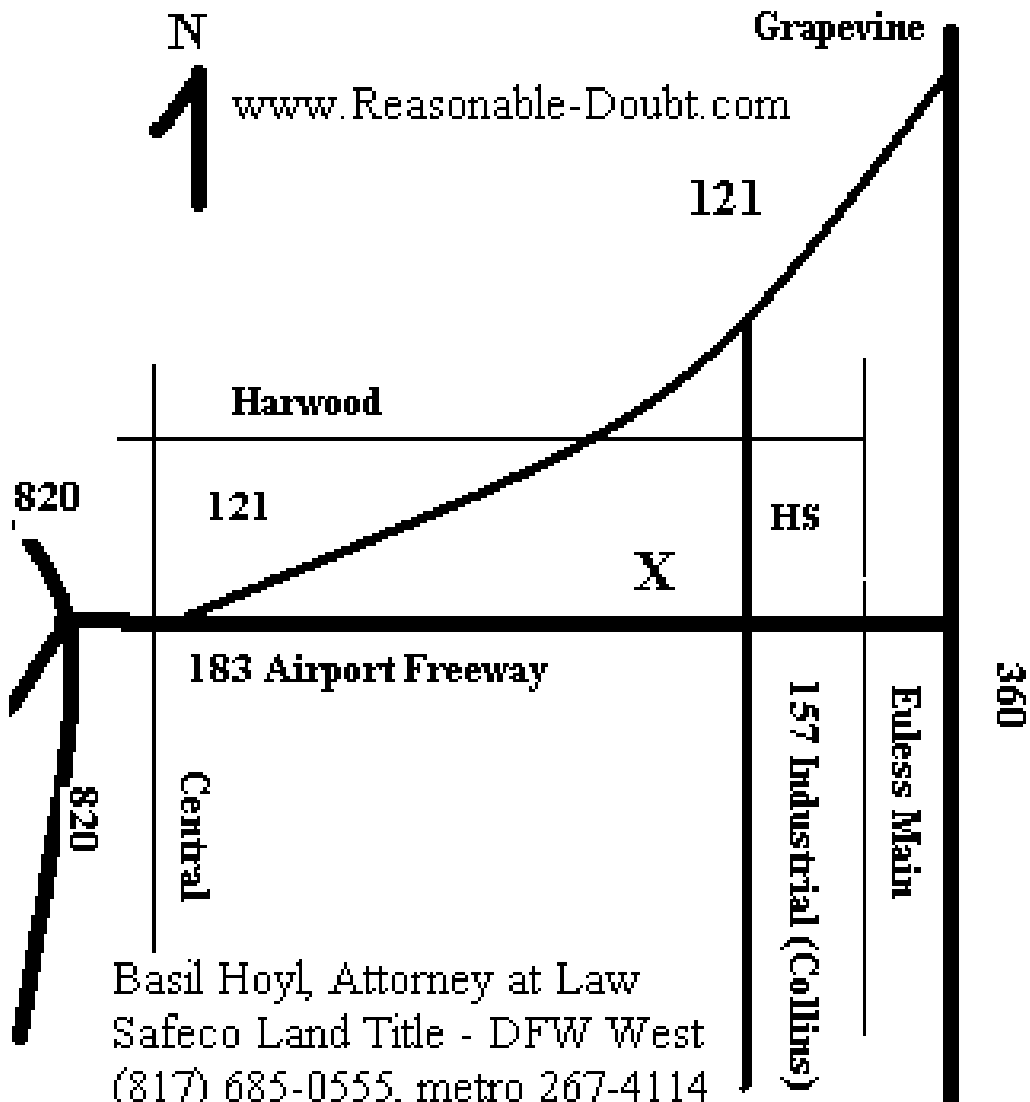


when received and are not refundable. The client may be required to make additional payments as required by the attorney for a reasonable fee based on \$165.00 per hour. Though the case will be supervised by the Attorney, certain aspects of the case may be handled by other persons associated by the attorney, including but not limited to other attorneys, escrow officers, legal assistants, secretaries, paralegals, clerks and investigators. The attorney is not required to advance costs for the client. Whenever it becomes apparent that accumulated fees and expenses will exceed seventy five percent of the non-refundable retainer, Basil Hoyl may, but is not obligated to, request the client to place additional sums into a non refundable retainer. Any excess costs will be additional attorney's fees. If the client does not make such additional deposits when requested, the attorney may withdraw from employment and representation. The client shall pay for services rendered and costs incurred by Attorney immediately upon being billed for same, failing which, the attorney may withdraw from employment and representation. Any attorney's fees or costs assessed against another party shall operate as a credit to the bill only to the extent they are actually received by the attorney. The attorney shall not be obligated to seek collection of same. Such collection work must be made the basis of an independent contract and independent fee arrangement. The attorney makes no promises or guarantees as to the outcome of the legal matter. There are no express or implied warranties other than those explicitly stated in bold, underlined print in the written contract. All time, including but not limited to research, negotiation, travel, court, telephone, drafting, handling of any complaints, grievances, other concerns, and any other time spent on the case will be billed at the stated rate though the subject matter of the work performed is not specifically listed in writing in the contract or other written document, so long as the time is spent on a matter in any way related to the matter stated in the contract or listed in a written modification of that agreement. Equipment costs will be billed and paid as billed. This is a photograph of Basil Hoyl around 1985. I could have shown you a later photograph, but vanity prevailed. Basil Hoyl attended L.D. Bell High School in Hurst and graduated in 1979. He then attended Texas A&M University in College Station and graduated in 1983 with a Bachelor of Arts in history. He attended the South Texas College of Law in Houston, Texas, graduating in 1986 with a doctorate in jurisprudence. He has worked with the Staff Counsel for Inmates in Huntsville and managed an office for Hyatt Legal Services in Houston. He has a general law practice near DFW Airport in the greater Fort Worth - Dallas Metroplex. He has a private law practice and is an escrow officer with Title Texas. He is licensed as an attorney by the Texas Supreme Court.



### **Disclaimer**

No attorney client relationship is established until and unless both the attorney and the client execute a written contract for legal services and any required retainer is paid by funds actually received by the attorney. Additional information may be obtained at <http://www.reasonable-doubt.com> and directly from the attorney. Any attorney's fees stated are general estimates and subject to the general policies and procedures and may vary in accordance with the time involved and your particular circumstances. Costs and expenses such as filing fees, postage, long distance telephone charges, mileage, parking, copies, exhibits, experts, interpreters, investigators, court reporters, witness fees, service of process and similar expenses are in addition to the stated fees. Ordinary local mileage is charged at 50¢ per mile and ordinary copies are the greater of actual cost or 12¢ per page. No discounts may be joined. Feel free to ask questions about fees and policy. This fee schedule is effective July 14, 2003 and is subject to change after that date without further notification.



Basil Hoyle, Attorney at Law  
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 Bedford, Texas 76021  
 Tall Silver Mirrored Bldg. west  
 of DFW Airport South entrance

**Basil Hoyle, Attorney at Law, Title Texas, 4001 Airport Freeway, Suite 190, Bedford, Texas 76021 - (817) 685-0555.** Tall Silver Mirrored Building named DFW WEST, 1/10 mile west of Industrial (157) on the westbound access road. We are about four miles west of DFW Airport's south exit. **BASILHOYL@YAHOO.COM WWW.REASONABLE-DOUBT.COM**

**VERSION 2.0**

**MENU OF LEGAL FEES FOR COMMON BUSINESS & CONSUMER LEGAL SERVICES**