

## Changes to Hourly Litigation Fee Agreement

| Paragraph No.<br>(if applicable) | Title                                       | Change  |
|----------------------------------|---|---|
|                                  | Heading                                     | Headings were updated to remove sample names. The goal is to make this document look more like a form.  |
| 1                                | Conditions                                  | Updated and conforms to Bus. & Prof. §6148(a)   |
| 2                                | Scope of Services and Attorney's Duties     | Updated and conforms to Bus. & Prof. §6148(a)(2)  |
| 3                                | Client's Duties                             | Clarifying language added. Conforms to Bus. & Prof. §6148(a)(3)   |
| 4                                | Deposit                                     | Clarifying language about deposit and identifies such as advanced deposit for fees  |
| 5                                | Legal Fees and Billing Practices            | Provides new clarifying language. Conforms to Bus. & Prof. Code 6148(a)(1)  |
| 6                                | Costs and Other Charges                     | Identifies various types of charges in conformity with Bus. & Prof. §6148(a)(1). Adds a new paragraph requiring client's consent before incurring any costs over a specified dollar amount. |
| 7                                | Other Fees and Costs                        | Identifies further types of costs related to litigation.  |
| 8                                | Bills                                       | Updates the language regarding bills. Conforms to Bus. & Prof. §6148(b)   |
| Former 8                         | Removal of lien paragraph                   | This has been moved to the "Other Clauses of Interest"  |
| 9                                | Client Approval Necessary for Settlement    | Requires client authorization to make or accept settlement offers. This paragraph was previously only in the contingency fee agreement.   |
| 10                               | Discharge and Withdrawal                    | Updated language in conformity with RPC 3-700   |
| 11                               | Conclusion of Services                      | New paragraph added. Provides language in conformity the RPC 3-700(D)(1)  |
| 12                               | Disclaimer of Guarantee and Estimates       | Updated and provides clarifying language regarding guarantees and estimates.  |
| 13                               | Professional Liability Insurance Disclosure | New paragraph added in conformity with RPC 3-410  |
| 14                               | No Tax Advice                               | New language to ensure clients are aware that there may be tax consequence to which the attorney will not offer advice.   |
| 15                               | Entire Agreement                            | Unchanged from previous version   |
| 16                               | Severability in Event of Partial Invalidity | Unchanged from previous version   |
| 17                               | Modification by Subsequent Agreement        | Requires modifications to contract to be in writing.  |
| 18                               | Effective Date                              | Unchanged from previous version   |
|                                  | Signature blocks                            | Signature blocks were updated to remove sample names. The goal is to make this document look more like a form.  |

## Changes to Hourly Non-Litigation Fee Agreement

| Paragraph No. (if applicable) | Title                                       | Change  |
|-------------------------------|---|---|
|                               | Heading                                     | Headings were updated to remove sample names. The goal is to make this document look more like a form.  |
| 1                             | Conditions                                  | Updated and conforms to Bus. & Prof. §6148(a)   |
| 2                             | Scope of Services and Attorney's Duties     | Updated and conforms to Bus. & Prof. §6148(a)(2)  |
| 3                             | Client's Duties                             | Clarifying language added. Conforms to Bus. & Prof. §6148(a)(3)   |
| 4                             | Deposit                                     | Clarifying language about deposit and identifies such as advanced deposit for fees  |
| 5                             | Legal Fees and Billing Practices            | Provides new clarifying language. Conforms to Bus. & Prof. Code 6148(a)(1)  |
| 6                             | Costs and Other Charges                     | Identifies various types of charges in conformity with Bus. & Prof. §6148(a)(1). Adds a new paragraph requiring client's consent before incurring any costs over a specified dollar amount. |
| 7                             | Bills                                       | Updates the language regarding bills. Conforms to Bus. & Prof. §6148(b)   |
| 8                             | Client Approval Necessary for Settlement    | Requires client authorization to make or accept settlement offers. This paragraph was previously only in the contingency fee agreement.   |
| 9                             | Discharge and Withdrawal                    | Updated language in conformity with RPC 3-700   |
| 10                            | Conclusion of Services                      | New paragraph added. Provides language in conformity the RPC 3-700(D)(1)  |
| 11                            | Disclaimer of Guarantee and Estimates       | Updated and provides clarifying language  |
| 12                            | Professional Liability Insurance Disclosure | New paragraph added in conformity with RPC 3-410  |
| 13                            | No Tax Advice                               | New language to ensure clients are aware that there may be tax consequence to which the attorney will not offer advice.   |
| 14                            | Entire Agreement                            | Unchanged from previous version   |
| 15                            | Severability in Event of Partial Invalidity | Unchanged from previous version   |
| 16                            | Modification by Subsequent Agreement        | Requires modifications to contract to be in writing.  |
| 17                            | Effective Date                              | Unchanged from previous version   |
|                               | Signature blocks                            | Signature blocks were updated to remove sample names. The goal is to make this document look more like a form.  |

## Changes to Contingency Fee Agreement

| Paragraph No.<br>(if applicable) | Title                                       | Change  |
|----------------------------------|---|---|
|                                  | Heading                                     | Headings were updated to remove sample names. The goal is to make this document look more like a form.  |
| 1                                | Conditions                                  | Updated and conforms to Bus. & Prof. §6148(a)   |
| 2                                | Scope of Services and Attorney's Duties     | Updated and conforms to Bus. & Prof. §6148(a)(2)  |
| 3                                | Client's Duties                             | Clarifying language added. Conforms to Bus. & Prof. §6148(a)(3)   |
| 4                                | Legal Fees                                  | Provides clarifying language to conform to Bus. & Prof. §6147. Adds any court-ordered attorney's fees to the recovery amount for calculation of the fee.                  |
| 5                                | Negotiability of Legal Fees                 | Provides new clarifying language. Conforms to Bus. & Prof. Code §6147(a)(4)   |
| 6                                | Costs and Litigation Expenses               | Provides new clarifying language. Conforms to Bus. & Prof. Code §6147(a)(2)   |
| 7                                | Deposit                                     | Clarifying language regarding the client's obligation to provide a deposit for costs to be incurred.  |
| 8                                | Bills for Costs and Expenses                | Language regarding how bills are to be sent for costs. While Bus. & Prof. §6148 does not apply to contingency matters, the committee believes this to be a best practice. |
| 9                                | Client Approval Necessary for Settlement    | Requires client authorization to make or accept settlement offers. This paragraph was previously only in the contingency fee agreement.                                   |
| 10                               | Lien  | Update to lien language. In conformity with RPC 3-300.  |
| 11                               | Professional Liability Insurance Disclosure | New paragraph added. Provides language in conformity the RPC 3-700(D)(1)  |
| 12                               | No Tax Advice                               | New language to ensure clients are aware that there may be tax consequence to which the attorney will not offer advice.   |
| 13                               | Discharge and Withdrawal                    | Updated language in conformity with RPC 3-700   |
| 14                               | Conclusion of Services                      | New paragraph added. Provides language in conformity the RPC 3-700(D)(1)  |
| 15                               | Receipt of Proceeds                         | No significant change from previous version.  |
| 16                               | Disclaimer of Guarantee                     | Updated and provides clarifying language regarding guarantees and estimates.  |
| 17                               | Entire Agreement                            | Unchanged from previous version   |
| 18                               | Severability in Event of Partial Invalidity | Unchanged from previous version   |
| 19                               | Modification by Subsequent Agreement        | Requires modifications to contract to be in writing.  |
| 20                               | Effective Date                              | Unchanged from previous version   |
|                                  | Signature blocks                            | Signature blocks were updated to remove sample names. The goal is to make this document look more like a form.  |