



FEES FOR DEBT COLLECTION CASES

LICENSED IN VIRGINIA: I cover Prince William, Fairfax, Stafford, Fredericksburg, Alexandria, and Arlington Counties. For cases totaling at least \$2000, also Loudoun, Fauquier, Spotsylvania, Caroline and King George. For greater distances, \$20 per hour for travel applies. For a consumer debt, a defendant must be sued in the County where they reside. For defendants outside of Virginia, a strong connection to Virginia is needed.

WITNESSES & INFORMATION NEEDED: It is almost impossible to win a lawsuit unless the creditor provides a knowledgeable witness(es) who can show up and testify in court. You will need to promptly and fully provide answers to any and all questions and documents requested by the defendant in "discovery" and perhaps in depositions.

CHOICES OF FEE STRUCTURES -- BY THE HOUR OR CONTINGENCY:

Although I normally charge by the hour, debt collection legal work is often performed on a contingency fee basis, that is, a percentage of the amounts successfully collected. I have worked in high-volume, specialized debt collection law firms as well as performing years of general litigation and business disputes. Contingency fees are typical for debt collection and are available from other law firms that do debt collection work.

A contingency fee arrangement means that the attorney carries the risk that nothing might be collected and the attorney works for free unless money is successfully collected. It also means that the client does not need to pay money up-front except for filing fees and expenses. The Attorney is paid when money is actually collected.

However, sometimes clients do not want a contingency fee arrangement. For example, if the debt is very large, then the contingency fee would be very large. Therefore, you may choose either a fee plan paying by the hour or a contingency fee. There are conditions that apply for a contingency fee in a particular case. See below.

STANDARD RATES BY BILLABLE HOURS:

My standard fee for legal work is \$175 per billable hour, \$45 per billable hour for paralegal billable time. Travel required outside the Washington, DC suburbs, and agreed to with you is \$20 per hour. For a high-volume contract of continuing work, I sometimes negotiate a volume discount. Court filing fees and expenses (that is, payments to third parties) are additional. You do not pay for the Attorney's office or operating expenses.

ATTORNEY RATES FOR CONTINGENCY FEE CASES:

- The filing fee in court varies but is less than \$100 for 1 or 2 defendants.
- The filing fee in court for serving an out-of-state defendant or a hard-to-find defendant is an additional \$28 for each defendant and I charge \$50 processing for the additional paperwork and additional photocopies required.

Cases in General District Court (up to \$25,000)

- My fee is 22% of the total collected if the debt is paid or settled *before* the first hearing in court (the "first return" date -- typically after filing the lawsuit).
- My fee is 25% of the total collected if the debt is paid or settled before trial.
- My fee is 33% of the total collected if the defendant pays after a trial.
- My fee is 40% of the total collected if the Attorney must collect by chasing the defendant such as by garnishing wages or a bank account (but 45% under \$7500).

Cases in Circuit Court (usually over \$25,000 but defendant may move the case)

- The filing fee in court can be up to \$358 depending on the size of the debt.
- My fee is 15% of the total collected if the debt is paid or settled before the first hearing in court. Typically that is after the lawsuit is written and filed in court.
- My fee is 20% of the total collected if the debt is paid or settled up through the end of the discovery process in court, before preparing for trial.
- My fee is 25% of the total collected if the debt is paid or settled before the final preparation for trial (planning witnesses, questions, exhibits, strategy).
- My fee is 35% of the total collected if the defendant pays after a full *formal* trial.
- My fee is 40% of the total collected if the Attorney must collect by chasing the defendant such as by garnishing wages or a bank account (but 45% under \$7500).

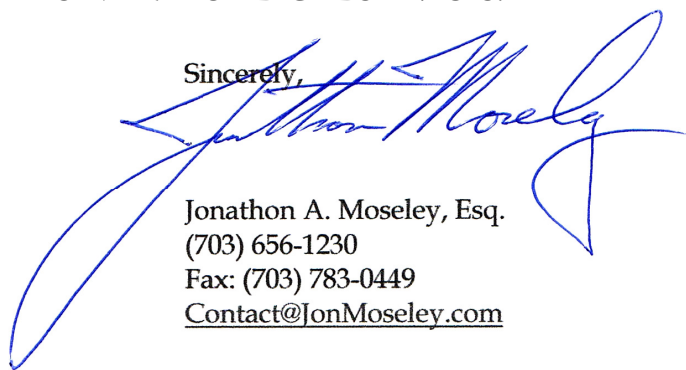
CONDITIONS FOR CONTINGENCY FEE CASES:

- The Attorney will not necessarily accept a case under a contingency fee. Because the attorney is taking a risk on working on the case for free, the Attorney must evaluate the strength of each case, the evidence, the legal basis of the claim, etc.
- Counter-Claims / Set-offs / Refunds: If the defendant answers with a counter-claim, set-off, or refund against you -- which is much more work for the Attorney and may subtract from the net amount you win -- my fee will apply to a minimum of 50% of the gross amount you win *before* subtracting any offset or counter-claim.

STATUTE OF LIMITATIONS: If you wait too long you could lose the ability to collect.

This is ADVERTISING MATERIAL, an ADVERTISEMENT FOR LEGAL SERVICES.

Sincerely,



Jonathon A. Moseley, Esq.
(703) 656-1230
Fax: (703) 783-0449
Contact@JonMoseley.com