

FRYE LAW OFFICES, P.A. CLIENT BILL OF RIGHTS

- 1. The right to confidentiality:** All attorneys are subject to the attorney-client privilege. This privilege means that a lawyer-or any member of his or her staff-cannot reveal most things you say or show to him or her. This statement is true whether you hire the attorney or you simply consult with the attorney.
- 2. The right to full fee disclosure:** Hiring an attorney means contracting for his or her services. There is no set fee schedule in the legal profession; however, it is unethical for a lawyer to charge an unreasonable fee. An attorney may or may not charge for a variety of services, for example, initial consultations, filing fees, copying, paralegal time, etc. You have the right to know before your hire an attorney what you will and will not be charged for during the course of your representation. If an attorney decides to take your case, he or she may bill you by the hour or be paid on a percentage of the recovery (known as a contingency fee). Either way, the lawyer should tell you all the facts about the billing procedure.
- 3. You are entitled to a written retainer agreement and a monthly bill:** The retainer agreement must set forth in plain language the nature of the relationship and the details of the fee agreement. You may refuse to enter any fee arrangement that you find unsatisfactory. You have a right to receive a monthly bill which specifies what work was completed on your case by which attorney or paralegal. You are expected to review the itemized bill sent by counsel and to raise any objections or errors in a timely manner. You have the right to dispute any fee with the North Carolina State Bar.
- 4. The right to know the possibilities of your case and whether your lawyer is competent to handle this type of case:** An attorney is duty-bound to advise you on the strengths and weaknesses of your case. The lawyer should tell you about any possible liabilities if you lose; for instance, you may end up having to pay some of the other side's costs and attorney's fees. Also, the lawyer must feel competent to handle your type of case. If he or she cannot take your case-because of a conflict of interest, lack of training, or experience or any other reason-he or she must be frank with you. An attorney may not ethically accept a case that he or she believes is frivolous or intended to harass or intimidate another person.
- 5. The right to know how your case is going:** It's your case! Your attorney must answer your questions and return your calls. This does not mean that your lawyer is always able to respond to you that same day, but your attorney should not ignore you. You have to realize that your attorney is handling other cases. Each of your attorney's clients probably considers his or her case to be the most important.
- 6. The right to have your property safeguarded and your funds separated from the firm's personal funds:** An attorney must preserve any property, such as documents or securities, which you give to him or her. If you later fire the attorney, he or she must immediately return your property. This may not apply to documents or property that the attorney prepared for which he or she has not been paid. A lawyer must place any money

advanced to him or her in a separate trust account. The attorney may not personally use any of this money unless it has already been earned. For instance, the lawyer cannot use any unauthorized or unearned funds for his or her own personal investments. A lawyer must keep strict records of what he or she does with your money and must keep you informed about how and where the money is used.

7. The right to common courtesy: An attorney knows more about the law and about your type of case than you do—that is why you are hiring him or her! However, that does not mean your lawyer (including his or her staff) can look down on you or be rude to you. If there is something you do not understand about your case or how it is being handled, your lawyer owes you careful and considerate answers to your questions.

8. The right to have your attorney free of any conflicts of interest: Your attorney may not represent you if there are conflicts with other clients. You must be fully informed of any potential conflicts of interest and knowingly consent to your attorney's representation if a conflict exists.

9. The right to complain about your attorney's misconduct: North Carolina attorneys must abide by an oath and the rules of the North Carolina State Bar and the North Carolina Supreme Court. Violations of these rules can subject an attorney to discipline.

10. The right to make the ultimate decisions on the objectives to be pursued in your case: The attorney is responsible for making the tactical decisions about your case, such as which court to file a lawsuit. On the other hand, you are entitled to make certain other decisions such as whether to accept or refuse a settlement offer. If your attorney receives a settlement offer from the other side, you must be told of the offer. Your attorney must ask your permission to accept or offer any amount by way of settlement. If you ask for a copy of any documents, including letters, that the attorney has prepared for your case, he or she should show or give you a copy. You and your attorney should thoroughly discuss the goals of the legal work your attorney is doing. Both you and your attorney have the right to put limitations on your attorney's duties and responsibilities.