

Information

Lawyers' Fees

Learn what to do if you have a dispute about the amount of fees you have been charged

What you should know

The Law Society does not regulate lawyers' fees so if you have a disagreement with a lawyer over fees, filing a complaint with the Law Society will not resolve that dispute. The Law Society cannot order the lawyer to reduce their bill.

If you do not understand some of the items on your bill or if you disagree with the amount, the first step is to talk it over with your lawyer. If your lawyer practises with a firm, there may be another member of the firm with whom you can discuss the bill. Go over the details and ask the lawyer to explain why a particular charge was issued.

Lawyers should, however, be fair and transparent in the fees they charge. The Law Society will review a complaint about fees if the billing practices were unethical. If you have concerns about a fraudulent billing practice you can contact us.

If there is a mistake on the bill i.e. you were double billed for an item or charged for work you believe was not performed, the first step is to ask the lawyer for an explanation.

What you can do

If you and your lawyer cannot resolve your disagreement, you have a few options: the Law Society Fee Mediation Program, the BC Supreme Court Registrar Fee Review, or taking court action.

Law Society Fee Mediation Program

The Law Society's Fee Mediation Program is free and helps lawyers and clients resolve fee disputes quickly without having to go to court. The program offers virtual mediation, allowing a client and lawyer to resolve a dispute without having to meet in person, thus saving time and expense. However, the Law Society retains the right to determine the matter may not be suitable for the Fee Mediation program.

Overview

- The program is entirely voluntary and both the client and lawyer must agree to participate. Either party can withdraw from the mediation at any time.
- A private mediator is provided for free.

- Mediation can occur in person or at a distance.
- Clients do not need a lawyer to represent them.
- The amount in dispute must be between \$1,000 and \$35,000.
- If either the client or the lawyer has already dealt with the fees in court or reached an agreement through another process, the dispute is not eligible for fee mediation.

How it works

1. A client or lawyer can begin the process by completing the Application for Fee Mediation.
2. The Law Society will contact the other party to determine whether there is a mutual interest in using the Fee Mediation Program.
3. If both parties agree to participate, the Law Society will appoint a mediator from our list of qualified and experienced mediators. Although the Law Society pays the mediators a small per diem mediators are independent of the Law Society.
4. The mediator will contact the client and lawyer and arrange a mediation session. The mediation is almost always by video (Zoom/MS Teams). The mediation is limited to three hours.
5. The mediator manages the process to help the client and lawyer resolve their disagreement.

Mediation is not always suitable, even if one party wishes to resolve the dispute. At all times, the Law Society retains the discretion to determine if a matter is suitable for Fee Mediation.

The mediation process is done on a “without prejudice” basis. This means that those involved are agreeing to nothing more than a willingness to participate and any negotiations during the process cannot be used in any subsequent court proceedings.

Download the Fee Mediation Application Form: [FeeMediation-app.pdf](#)

BC Supreme Court Registrar Fee Review

If you are unable to resolve your fee dispute after discussing it with your lawyer, another option is a review by the BC Supreme Court Registrar.

Under the *Legal Profession Act*, lawyers and clients have the right to have a lawyer’s bill reviewed by a BC Supreme Court registrar. A fee review is a formal process similar to a court hearing and is administered by the BC Supreme Court. Normally, a fee review must be filed no later than three months after the bill was paid or, if unpaid, within one year after it was sent to the client. Contingency fee agreements can also be reviewed within three months after the agreement was made or terminated.

For more information on fee reviews, see the BC Supreme Court's publication Legal Profession Act Review Process: [Supreme Court](#)

The table below summarizes some key differences between the Law Society Fee Mediation Program and the BC Supreme Court Registrar process:

Law Society Fee Mediation Program	BC Supreme Court Registrar
Free	\$80 fee paid by the applicant and potential costs (paid by the losing party)
For fee disputes of \$1,000 to \$35,000	No limit to the dollar value of the dispute
Available in person or at a distance using online meeting technology	Must attend in person
Private	Public
Informal	A court process with testimony and a decision after the hearing
Time is capped at three hours	May be lengthy; no set limit on hearing time
Requires consent of both parties	Does not require consent of both parties
Able to be processed and completed relatively quickly	Formal process may be lengthy
May result in binding settlement agreement	Decision is a court judgment, which is more easily enforced

Court Action

Both clients and lawyers have the right to take court action and sue the other party over a fee disagreement. Disputes under \$5,000 must be filed with the Civil Resolution Tribunal. Disputes between \$5,001 and \$35,000 are typically filed in BC Provincial Court (Small

Claims) [Small claims | Provincial Court of British Columbia](#). If a very large amount is at issue, there may also be the option of filing your claim in BC Supreme Court.

BC Provincial Court (Small Claims) [Small Claims BC | Online Help Guide](#)

Information for claims more than \$35,000 [Supreme Court BC | Online Help Guide](#)

Court processes can be lengthy and expensive and you may wish to consult a lawyer about your rights and remedies: [Legal resources for the public](#).

The Lawyer Referral Service is run by Access Pro Bono and provides referrals to voluntarily registered lawyers, who will offer consultation of up to 30 minutes for free.

Tel: 604.687.3221

Toll Free: 1.800.663.1919

lawyerreferral@accessprobono.ca

<http://www.accessprobono.ca/lawyer-referral-service>