



**THE NIGERIAN BAR ASSOCIATION
ABUJA BRANCH (UNITY BAR)**

Presents A One-Day Training/Workshop

**THEME:
EFFECTIVE AND REALISTIC BILLING SYSTEM FOR NIGERIAN
LAWYERS IN THE CURRENT ECONOMIC REALITIES**

Date: Friday 1st July 2022 | **Time:** 10am prompt

Venue: A- class Event Centre, Wuse 2 ABUJA
(Limited seats for registered participants)

PANELISTS



Prof. Ernest Ojukwu, SAN



Chief Ogwu James Onoja, SAN



Chief Mrs.
Victoria Awomolo, SAN



Chief Ben Anachebe, SAN



Host: Afam O. Okeke, Esq.,
Chairman, NBA Abuja Branch.



Onyekachi UMAH, Esq.,
Lead paper presenter

Effective and Realistic Billing System for Nigerian Lawyers in the Current Economic Realities.

ONYEKACHI UMAH, ESQ., LL.M, ACI Arb(UK)

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PROFILE OF ONYEKACHI UMAH

- Onyekachi Umah is a private legal practitioner with amazing experience in intellectual property, transaction and regulation advisory, corporate, commercial and investment law and energy law as well as litigation and arbitration arising from them.
- He is a certified arbitrator both in Nigeria and the United Kingdom.
- Among other, he has a certificate in Law of Contract from the program of Harvard University, a certificate in International Environmental Negotiation from United Nations Institute for Training and Research, Geneva and a certificate in Conflict Management from United States Institute of Peace, Washington, D.C.
- He also holds a master of laws degree and is a doctoral student.
- He is the managing partner of a leading law firm; Bezaleel Chambers International.
- He has written and published over Eight Hundred legal materials

1. Assumptions

It is assumed we all understand the following basics;

1. Lawyers duties to client
2. Types of legal practitioners fees
3. Standard content of a bill of charge
4. Procedure for recovery of legal practitioners fee

2. Facts

1. Law practice is business
2. Legal profession abhors impecuniosity.
3. Lawyers and their law firms have bills
4. A Lawyer is entitled to adequate remuneration (Rule 48(1) Rules of Professional Conduct)
5. No Champerty/Third Party Funding (KESSINGTON EGBOR & ANOR v. PETER O. OGBEBOR (2015) LPELR-24902(CA))
6. Lawyers have a new class of competitions

Facts, Cont'd.

7. No sharing of fees with non-lawyers (Rule 53, Rules of Professional Conduct)
8. Scale of fees was made on 15 August, 1991.
9. Most lawyers do not use the scale of charges.
10. Excessive charge is illegal. (RULE 48(2) & (3) Rules of Professional Conduct)
11. Under charging (under-cutting) is illegal (Rule 52(1) & (2) Rules of Professional Conduct)

3. Legal Framework For Legal Practitioners Fee

1. Legal Practitioners Act, 1975 (esp. sections 15 to 21)
2. Legal Practitioners (Remuneration for Legal Documentation and Other Land Matters) Order, 1991.
3. Rules of Professional Conduct for Legal Practitioners, 2007 (esp. Rules 48 to 54)
4. Rules of the Nigerian Bar Associations and its branches
5. Rules of various Arbitration Houses and Associations

4. Factors to Consider in Fixing Legal Practitioners Fee. (1/3)

1. Time
2. Labour & Skill (Number, Class and Qualification Lawyers and support staff involved)
3. Novelty and Specialization
4. Reputation of lawyer and law firm (Brand Worth)
5. Alternative Forgone
6. Schedule of Minimum fees adopted by Nigerian Bar Association or its branch
7. Location (Physical, Online, and crazy Metaverse)
8. Payment systems (POS, Online, Cryptography and others)

Factors to Consider in Fixing Legal Practitioners Fee. (2/3)

9. Victory/Profit achievable by client
10. Certainty of compensation
11. Type of Client; Walk-in, Referred or Returning client
12. Referral fee to referring lawyer
13. Class/Financial Ability of client
14. Client Retention Policy
15. Service Plan: "hourly rate," "Flat rate", "retainer," or "contingent fee arrangement."

Factors to Consider in Fixing Legal Practitioners Fee (3/3)

- 16. Payment Plan; outright or instalment
- 17. Currency exchange rates
- 18. Practice and Facility Maintenance
- 19. Tax management policy
- 20. Bank charges on client's (trust) account
- 21. Bureaucracy (where third party involved like a government agency)

5. Challenges to Effective and Realistic Billing. (1/2)

1. Outdated Scale of charges
2. Poor attitude to work
3. Poor time management
4. Lack of Experience, Skill & Bargaining Power
5. Lack of Third Party Funding
6. Lack of set minimum prices by Nigerian Bar Association/its branches
7. Lack of professional indemnity insurance by lawyers
8. Family and social interference

Challenges to Effective and Realistic Billing (2/2)

- 9. Limited number of specialized lawyers & organized practice sector
- 10. Location of law firms and lawyers
- 11. Client management policy
- 12. Poor financial literacy
- 13. Perception of law practice as charity by some clients
- 14. Under-cutting/low billing by lawyers

6. The Way Forward

1. Leverage on technology
2. Understand your time
3. Understand your brief and costs
4. Be honest
5. Be simple and clear on your bills
6. Particularise your bill and put all agreements in writing.
7. Specify Taxes and other liabilities of clients.

The Way Forward, Cont'd.

8. Offer justifiable discounts
9. Offer flexible payment plans
10. Offer electronic payment options
11. Get a professional indemnity insurance
12. Get financial intelligence
13. Get training on selling and client management
14. Study your client

9. Conclusion:

If law practice is a business, then lawyers must strive to be good business people, with high ethics, good speed and creative skills.

Friday 1st July 2022.

Wuse 2, Abuja.

Thank you!

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