

Beier Howlett

ATTORNEYS AND COUNSELORS

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April 6, 2021

Mr. Joe Young, Village Manager
Village of Lake Orion
21 E. Church St.
Lake Orion, MI 48362

Re: Review of Legal Fees

Dear Mr. Young:

We are respectfully requesting a review of Beier Howlett's legal fees. The reason for this request is that we have not requested an increase to our hourly rate of \$125 per hour in over 5 years.


You will find attached a summary of legal fees created by the State Bar of Michigan in 2017. You will note that we are in the lowest percentile of legal fees, and at the lower end of that percentile as well. In this regard, we have enjoyed working for the Village of Lake Orion since 2016, and we humbly request a review of the fees being paid for services rendered. We are requesting an increase to \$165 per hour, placing us in the median range of fees as of 2017. We believe as of 2021, \$165 per hour would be below the median range.

Traditionally, several Beier Howlett attorneys work on the Village of Lake Orion matters due to the complexity and need for service. At the present time, the Village's requirements are being served by Rebecca Camargo, Peter Gojcaj, and the undersigned. The request for a rate review is for the firm, not for any sole individual.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

BEIER HOWLETT, P.C.


Mary M. Kucharek

MMK/jc
Enclosure

Table 7 – 2017 Hourly Rates Billing Rates by Field of Practice

	N	25 th Percentile	Median	Mean	75 th Percentile	95 th Percentile
Construction law	59	200	265	300	365	580
Consumer law (including lemon law)	41	250	300	327	400	600
Contracts	262	200	250	265	325	475
Corporate and business	498	225	275	291	340	530
Criminal (misdemeanor)	363	180	200	234	250	350
Criminal (felony)	355	200	225	250	290	400
Driver License Restoration	27	200	250	254	300	500
Elder Law	220	200	240	250	275	350
Election Law	4	178	228	226	275	275
Employment Law (plaintiff)	77	250	300	313	380	485
Employment law (defense)	108	200	295	281	350	425
Entertainment Law	20	180	250	236	333	800
Environmental law	28	243	275	307	375	515
Family law	709	200	240	235	275	350
Foreclosure, debtor	9	200	250	250	300	500
Foreclosure, lender	20	215	237	257	270	420
General Civil	188	184	225	230	258	350
Health & Hospital law	64	203	285	316	375	560
Immigration law	67	185	250	255	300	485
Indian Law	11	150	250	227	300	370
Insurance law (plaintiff)	46	275	380	379	450	600
Insurance law (defense)	148	150	168	190	260	320
Intellectual property	144	250	318	334	398	565
Labor and Employment	105	200	275	301	375	550
Landlord/tenant (commercial)	76	160	225	243	300	370
Landlord/tenant (residential)	82	150	200	195	250	275
Libel, slander and defamation	3	375	415	405	425	425
Marijuana Law	20	225	250	273	300	460
Medical malpractice (plaintiff)	43	300	403	448	500	900
Medical malpractice (defendant)	58	175	185	189	200	250
Municipal Law	110	150	165	190	235	330
Veterans and Military Law	5	180	200	220	295	300
Other Civil law	140	200	250	272	300	570
Other Professional Liability	22	210	300	298	350	425
Personal Injury (defendant)	102	150	170	185	200	310
Personal Injury (plaintiff)	166	275	350	382	400	600
Probate litigation	223	200	250	260	300	400
Guardianship/conservatorship	151	185	225	228	250	350
Probate-trust administration	599	200	250	256	295	400
Product liability	32	235	300	340	400	550
Property Damage	10	220	350	323	450	450
Public benefits	8	200	300	350	475	880
Real Estate	591	200	250	261	300	415

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10. Agenda Items for Consideration

A. Financial Matters

1. Legal Services Fee Increase Request

Council Member Luchsinger stated part of the Council's Goals and Objectives is to review consultants contracts. She noted the five-year contract was signed September 2016 and would be up in 2021. Council Member Luchsinger, noting the attorney has requested an increase, suggested Council wait until review time to consider this request.

President Van Portfliet stated there is no five year set date, noting the contract says "it may be cancelled with notice when dissatisfied with services can terminate with written request".

Council Member Rutt stated if it is an at will contract what is the purpose of reviewing it.

Council Member Luchsinger stated they are requesting to change the hourly rate; therefore, Council should review the contract before changing it.

Council Member Lamb stated the contract is an extremely open-ended contract that can be reviewed at any time. He suggested approving the increase and review the contract at a future date because Council is currently reviewing two major proposals, one for engineering services and the other for planners services and in addition to the two engineering design proposals to be reviewed.

President Pro Tem Narsh stated it is in the Goals and Objectives to review; however, the legal firm is most recent consultant we have changed. He noted is extremely satisfied with the work of Beier Howlett and especially Mary Kucharek.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Jerry Narsh, President Pro Tem
SECONDER:	Teresa L Rutt, Council Member
AYES:	Van Portfliet, Narsh, Hobbs, Lamb, Rutt
NAYS:	Sarah Luchsinger

RESOLVED: To approve the Beier Howlett general legal services hourly rate of \$165.00 effective May 1, 2021 with the understanding Council will review the legal team contract at a date to be determined.