

LOC.R. 71.8 CONTINGENT FEES

A fiduciary shall make a written application to the Court for authority to enter into any contract with an attorney for services that provides for payment of those fees on a contingency basis. The application shall include the written fee agreement with counsel. Preliminary approval shall be subject to final review at the conclusion of the matter that is the subject of the contingent fee contract.

In a minor's settlement case where the amount of the settlement does not require the appointment of a guardian, the attorney shall make the above application. Before settlement may be approved, a guardianship must be established or dispensed with under its own case number.

If there are ancillary attorney fees and court costs associated with administering an estate, establishing a guardianship or dispensing with the appointment of a guardianship, for primary purpose of settling or resolving a claim, then the ancillary fees and costs shall be paid out of the contingent fee, unless otherwise allocated by the Court between the contingent fee and the beneficiaries of the settlement.