



Program Schedule

- 8:00 Registration**
- 9:00 Finding A Basis for Attorney Fees**
Steve Larson, *Stoll Berne*
Young Walgenkim, *Hanson & Walgenkim, LLC*
- American Rule
 - Fee shifting rights
 - When are attorney fees recoverable?
 - Class actions
- 9:45 Nuts and Bolts of Attorney Fee Petitions**
Timothy Fransen, *Cosgrave Vergeer Kester LLP*
Michelle Freed, *Eblen Freed LLP*
- Who is/are prevailing party/ies?
 - Statutory elements and factors
 - State and federal differences
 - Recoverable costs
- 10:30 Break**
- 10:45 Attorney Fee Strategy**
Tim Quenelle, *Tim Quenelle PC*
Jordan Roberts, *Eblen Freed LLP*
- Setting the ground work for your fee petition
 - Drafting your fee petition
 - Proving your fee petition
 - Defending your fee petition
- 12:00 Lunch**
- 1:00 The Judge's Perspective**
Hon. David F. Rees, *Multnomah County Circuit Court*
Hon. Michael H. Simon, *United States District Court, District of Oregon*
Hon. Youlee Yim You, *United States District Court, District of Oregon*

more...

Getting Paid: What Every Attorney Should Know About Attorney Fee Petitions

Monday, October 2, 2017

9:00 a.m. - 4:30 p.m.

Oregon State Bar Center

16037 SW Upper Boones Ferry Rd, Tigard

CLE credits: 6, including 1 ethics

*Live event only.
No webcasting available.*

\$180 Consumer Law Section Members

*Join the Consumer Law Section
for \$15 and receive the \$15 section
member discount*

\$195 Non-section Members

\$13 Elephant's Deli Lunch

*Registration includes electronic
course materials. A link to
download the materials will be
sent to all registrants a week
before the event.*

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Call the OSB CLE Service
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Cancellations: Cancellation requests
must be received at least 72 hours
before the seminar to qualify for a refund.
Refunds are subject to a \$25 cancellation
fee. To cancel, please call the OSB CLE
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Oregon state and federal court judges share their thoughts on such attorney fee topics as:

- Tips for filing or defending against fee petitions
- The role of fee shifting provisions in consumer statutes
- Effective use of expert testimony
- State and federal differences

2:15 Break

2:30 The Selection and Use of Attorney Fee Experts

Robert Bonaparte, *Shenker & Bonaparte LLP*

Topics include:

- State court, federal court, and county considerations
- Discovery considerations
- Multiple experts
- Underlying case counsel as expert
- Determination whether to use expert
- Effective use of expert
- Direct and cross of experts
- Rate; Time; Multiplier
- Use of fee surveys

3:30 Ethical Conundrums for Consumer Law Attorneys

Amber Hollister, *Oregon State Bar*

Josh Ross, *Stoll Berne*

Gain a deeper understanding of how ethics issues may arise in your consumer law practice. A seasoned consumer law attorney and the Bar's general counsel will discuss real life scenarios, the application of the Oregon Rules of Professional Conduct, and how to avoid ethical landmines. Topics include:

- How to ethically charge a contingent fee (statute/written agreement/model fee agreement language)
- Best practices for timekeeping/record keeping in cases that may include fee petition to court
- Attempts to "buy off" a plaintiff or class representative for a relatively low dollar settlement following significant investment of time by lawyer with contingent fee agreement
- Tax issues related to fee awards or settlements in low dollar/statutory consumer cases
- When is a fee "illegal or clearly excessive" and can fees awarded in judgment be paid to a client?
- Conflicts issues if you represent both debtors and creditors, or creditors with competing claims
- Is it ever okay to obtain an interest in property at issue as part of your fee agreement?
- What to do if your client disappears
- How to appropriately withdraw from a matter

4:30 End