

## **ADMONITION NO. 06-02**

### **CLASSIFICATION:**

Excessive Fee [Mass. R. Prof. C. 1.5(a)]

### **SUMMARY:**

On or about March 14, 2003, the respondent was hired to represent his client as the sole heir at law and administrator of a small estate. The respondent charged his client a \$6,000.00 retainer against which he was to bill at the rate of \$225.00 per hour. The respondent charged for services that were unnecessary and redundant.

On or about August 18, 2005, the client terminated the services of the respondent. The respondent promptly refunded the unused portion of the retainer. Shortly thereafter, the respondent made restitution of the fees associated with the unnecessary and redundant

services. By charging against the \$6,000 retainer for services that were unnecessary and redundant, the respondent charged a clearly excessive fee in violation of Mass. R. Prof. C. 1.5.

The respondent has been a member of the Bar since 1980, with no prior discipline. Accordingly, the respondent has received an admonition for his misconduct on the conditioned he attend a MCLE course on estate administration.