
ADMONITION NO. 00-03

CLASSIFICATIONS:

Improper Contingent Fee [Mass. R. Prof. C. 1.5(c)]

Trust Fund Accounting and Disputes [Mass. R. Prof. C. 1.15(c)]

SUMMARY:

The respondent represented a family friend in connection with his claim for injuries in a motorcycle accident. The case settled for the policy limits. Although the respondent charged a contingent fee, she did not enter into a written contingent fee agreement with the client. Her conduct in this respect violated Mass. R. Prof. C. 1.5(c).

The client objected to the amount of the respondent's fee. Since there was no written contingent fee agreement, the respondent should have placed the disputed amount into escrow pending resolution of the dispute. Her failure to do so violated Mass. R. Prof. C. 1.15(c).

After the client complained to the Office of Bar Counsel, the respondent placed the disputed amount into escrow.

The respondent received an admonition for her conduct in this matter.
