

# Five Questions to Consider Before Deciding on a Fee Structure

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Too often, immigration attorneys find themselves charging flat fees because they believe it to be the standard within the field of immigration and something that their clients expect. If immigration attorneys simply default to flat fee structures, without any proper data and metrics, then they are doing themselves a disservice and risk losing opportunities in revenue generation.

Before deciding to charge flat fees, because it appears to be the industry standard, consider the following questions:

**1. How much time do you spend on each matter?** Detailed time keeping is important in order to determine how much time you are spending on each matter, regardless of whether you charge a flat fee or hourly fee. By multiplying your time by an hourly rate, you will be able to determine what your flat fee should be and when you are losing money by charging a flat fee.

**2. How would you describe your ability, experience and reputation in the community?** The greater your ability, experience and reputation, the higher your hourly rate should be and the higher your fee should be. If you value yourself and your time, you should not be charging the same rate as someone with less ability, experience and reputation. Many attorneys find it difficult to raise their rates, especially if charging a flat fee, and many charge the same rates year after year. As the cost of living increases year to year, so should your rates. It is also not recommended to set fees based on what others are doing. Consider what you are offering and how it differs from other attorneys, then charge appropriately.

**3. How difficult and novel is the case?** If your reputation is one where other attorneys refer cases to you because of your expertise and ability in taking on difficult cases with novel issues, then you should be compensated accordingly. If you are able and willing to do more complex and non-routine work consider whether a flat fee really makes financial sense or whether you should be compensated for your actual time by charging an hourly rate.

**4. What is the value that you are providing to your client?** Is the work that you are doing important to your client and her family? Will it greatly influence her life? Immigration law is an area that has vast impact and the services you offer have meaningful value to your client. Are your fees reflecting the value that you provide?

**5. Finally, and most importantly, what is your time worth?** If you do not value yourself, no

one else will. Do you deserve to be compensated for your knowledge and expertise? How valuable is your time? Consider this before setting fees and selecting a fee structure for your firm and caseload.

*This Practice Success Tip is an excerpt from the article [\*\*Determining the Best Fee Structure For Your Practice\*\*](#) by Kirby Joseph and Olsi Vrapic.*

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**American Immigration Lawyers Association** 1331 G Street NW, Suite 300 Washington, DC 20005

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