

SWEET | STEVENS | KATZ | WILLIAMS

STANDARD AGREEMENT FOR FEES, COSTS AND EXPENSES FOR REPRESENTATION OF THE CHESTER UPLAND SCHOOL DISTRICT

May 14, 2020

Sweet, Stevens, Katz & Williams LLP (SSKW) was formed in 1995 by nine experienced education lawyers who created the first private law practice in Pennsylvania dedicated entirely to Education Law. Today, we have attorneys in three offices serving school and municipal entities in more than 50 counties in the commonwealth.

For the Chester Upland School District we will provide legal representation as requested in the following areas:

- Audit Reviews
- Civil Rights Defense Matters
- Educational Technology
- Litigation Hold
- Special Education
- Pupil Services

Our extensive experience in serving many different school districts/entities affords us the ability to draw on other client experiences to provide prompt and definitive solutions while handling every issue with the utmost confidence and sensitivity.

We do not require a fixed retainer fee in advance, and our billings are based upon services actually performed during the preceding billing period. Using this approach, our clients have used our services on an "as needed" basis and are only charged if services have been requested and provided.

Hourly Rate for Services

The standard basis for fees for services rendered is based upon calculation of hourly chargeable time applied to an hourly rate. Our fees for special education and pupil services matters are \$195/hour for attorneys and \$125/hour for legal assistants.

Services

Services will be for those matters in which a case or controversy has arisen or may arise by virtue of threatened litigation, circumstances in which the client is contacted by an attorney representing a specific client, actual litigation, hearing requests, citizen complaints, defense of complaints filed in court or before agencies, or hearings before the school board itself. These situations also include negotiation with parties concerning litigation settlements, special education matters, student residency disputes, student attendance and discipline matters.

Time Billed

During the course of representation we record chargeable time devoted to a client's matter in fractions of hours in periods of two tenths of an hour. Any time beyond a two tenths of an hour will be billed at the next full tenth of an hour. Absence from our office on behalf of our clients is also recorded on the same basis. We do minimize travel time whenever possible.

We reserve the right to decline to perform or to continue to perform requested services at any time. At the end of any month that more than minimal services are rendered, we routinely provide a computerized description of the nature, date and amount of time attributable to each entry, along with our invoice for the period.

Out of Pocket Expenses and Other Costs

Our out-of-pocket expenses for computerized research, e-discovery services, stenographic services (court reporters), in-house composition of briefs and records, i.e., printing, collating and binding, costs for hearing officers or arbitrators, witness fees, photocopying (\$.20 per copy), and court costs, where required, are charged to our clients at cost. At times, when such charges are substantial, we may ask you to pay them directly.

We charge a flat fee of \$225.00 for preparation of audit opinion letters when we are requested to do so by you, your accountants, or state auditors. This covers the cost of our internal review where such a letter is provided. We also quote a separate fee where we are asked to provide an opinion involving a financing or to provide in-service training.

What We Do NOT Charge for

We do not charge for telephone expenses or electronic transmissions. We do not charge for our travel costs, such as fuel, meals, lodging, tolls, or mileage, except in the case of necessary airfares. We also do not charge with respect to the extensive publications to which we subscribe, or for our attendance at the numerous seminars and educational programs which we regularly attend. Unless there is a particular benefit to the client or unless previously approved or requested by our client, we do not charge for "duplicate" time; that is, time spent by more than one attorney when conferring among ourselves, or reviewing each other's work, or where two or more of our attorneys attend a meeting, hearing, or trial. We maintain comprehensive opinion and research files on most commonly asked questions. We are, therefore, frequently able to provide answers quickly without extensive legal research.

On occasion, when developing a generally applicable opinion and guidance on a novel topic or change in the law, we will, with permission of individual clients, pool time across multiple clients so costs for such generally applicable opinions and guidance are minimized for each individual client.

What Might Affect the Above

Please note the rates charged where an insurance company is involved may vary from the preceding, based upon our agreement with the company involved. Where insurance coverage is involved, we may ask that you pay our monthly bills, and we then will submit claims for reimbursement on your behalf to the insurance company. In all cases in which insurance coverage may be available, the ultimate responsibility for payment of our charges will remain with you.

By virtue of our experience in the area of school law, we constantly seek to make productive use of our time and to thereby provide our services efficiently. Frequently, difficult questions encountered by our clients are questions with which we have previously dealt. It is a source of professional pride that we are able to minimize chargeable time spent on many questions based on SSKW's collective experience and singular focus on advising public entities.

We welcome the opportunity to help you, we are confident you will be more than satisfied with the value of our services, and we look forward to working with you in the year ahead.



John G. Audi, Managing Partner Date
Sweet, Stevens, Katz & Williams LLP 5/14/2020



Authorized Agent Date
5/25/20

SWEET, STEVENS, KATZ & WILLIAMS LLP
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