# Introduction to Lawyers Cost in Japan and the U.S.



IPCOB 08.MARCH03

#### Legal Counsel or Legal Adovocate is not Free of Charge

Why?
Lawyers must earn their money
How much?
Lawyer's Annual Wage \$102,470

(US Dept. of Labor May 2006 Estimation)

How many Lawyers?

△1,143,358 in the U.S. (2007 ABA)

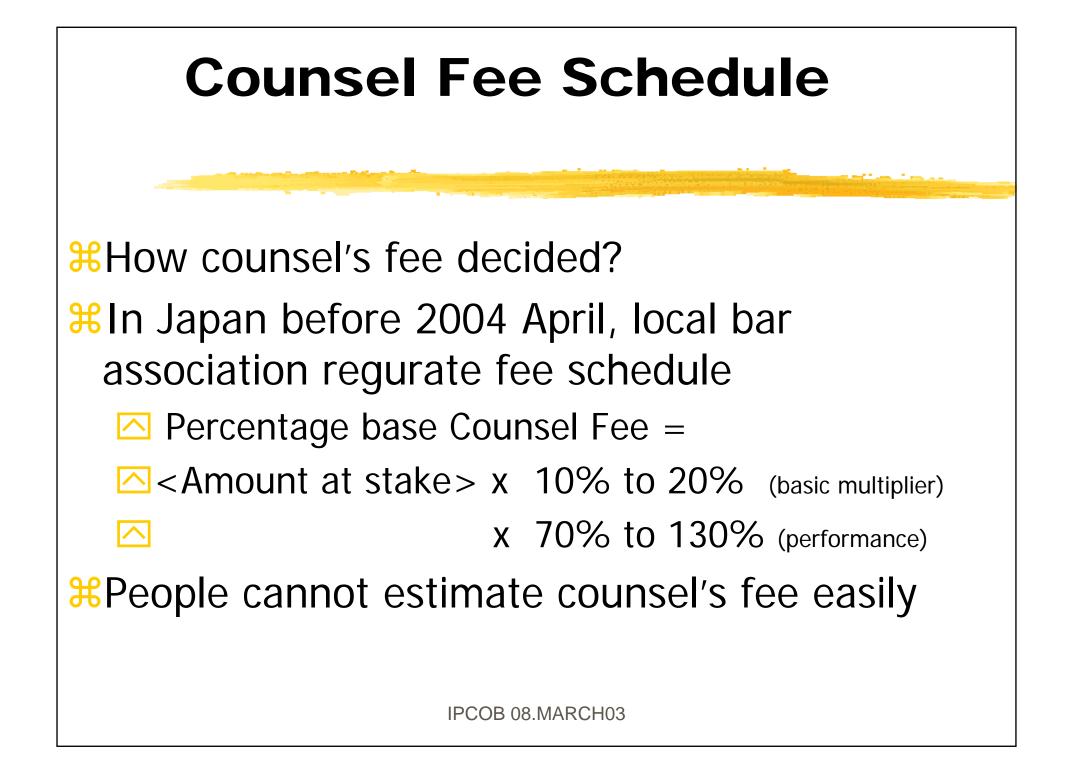
⊠3676 lawyers /100,000 persons

≥ 18 lawyers /100,000 persons IPCOB 08.MARCH03

# Principle of Bearing Cost

₩ho bears?

- Both in Japan and in the U.S.,
  - Each party should bear Counsel Fee
- ₭ = American Rule
- Losing Party should bear Winning Party's Counsel Fee
- **∺**= English Rule

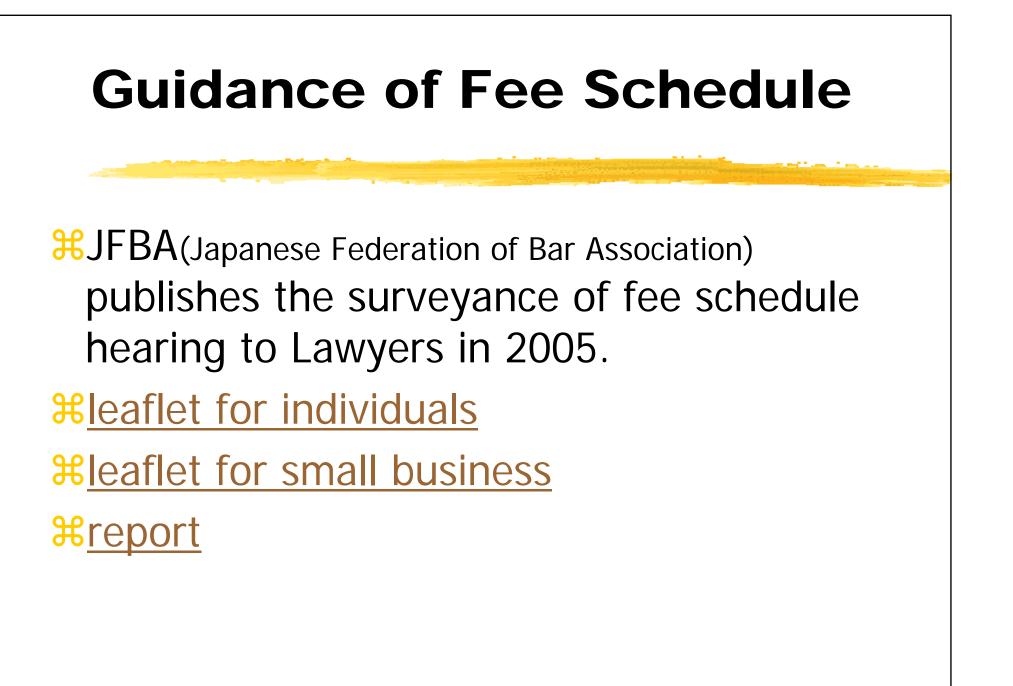


## **Counsel Fee Schedule Reguration Abolished**

After 2004 April, Each Lawyer can decide Fee Schedule but should announce it to the public. (JFBA Rule 2 and 3)

∺The Lawyer should make contract with client including fee provision. (JFBA Rule 5.2)

₩People can find their counsel estimating counsel fee.



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## **Contingent Fee**

 In Japan Contingent fee is not Popular.
 Historically: Mistrust toward Lawyer
 In the past, Lawyers were called as "Sanbyaku-Daigen", "Lawyer changes his oppinion in three hundred ways." They did not adovocate clients' interests properly.

Practically: Low Damages Awarded
in Tort cas