

COLLABORATIVE Practice Tips

A monthly bulletin from the CP Cal Practice Excellence Committee

The Practice Excellence Committee is pleased to offer tips to help you increase your Collaborative cases and achieve *practice excellence*.



Please send us your comments and questions! Email us at info@cpcal.com

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Collaborative Practice Fees

This month's Practice Tips were generated as a result of the survey regarding Collaborative Practice fees. 117 of our member group members responded. The results and discussion follow these tips.

Tip #1

Discuss the issues surrounding Collaborative Practice fees during your Practice Group monthly meetings. Here are a few possible discussion starters.

- Few practice groups discuss fees. While some do it on teams, it is not a part of the general discussion. Why not and what should we do to change that?
- Should we agree within teams regarding fees, what is billed, and not billed? Should those agreements (not the process of reaching them) be shared with our clients?

Tip #2

Discuss the significant differences in fees, and what the billing practices are among the disciplines.

- Is it perhaps due to how the professionals see themselves? (e.g., mental health professionals are least likely to bill for additional services and bill at the lowest level. Perhaps this is due to their perceptions of being members of a "helping professional" and that they don't recognize that this has monetary value.) Discussions can be held within disciplines and together.
- What does it say to clients when there are differences in fees? Does it affect the perceived value of each professional's input?

Tip #3

Talking about money is a touchy issue. Normalize this. If one professional is giving a discount or break, that should be discussed on the team, since clients will often share their professionals' fees.

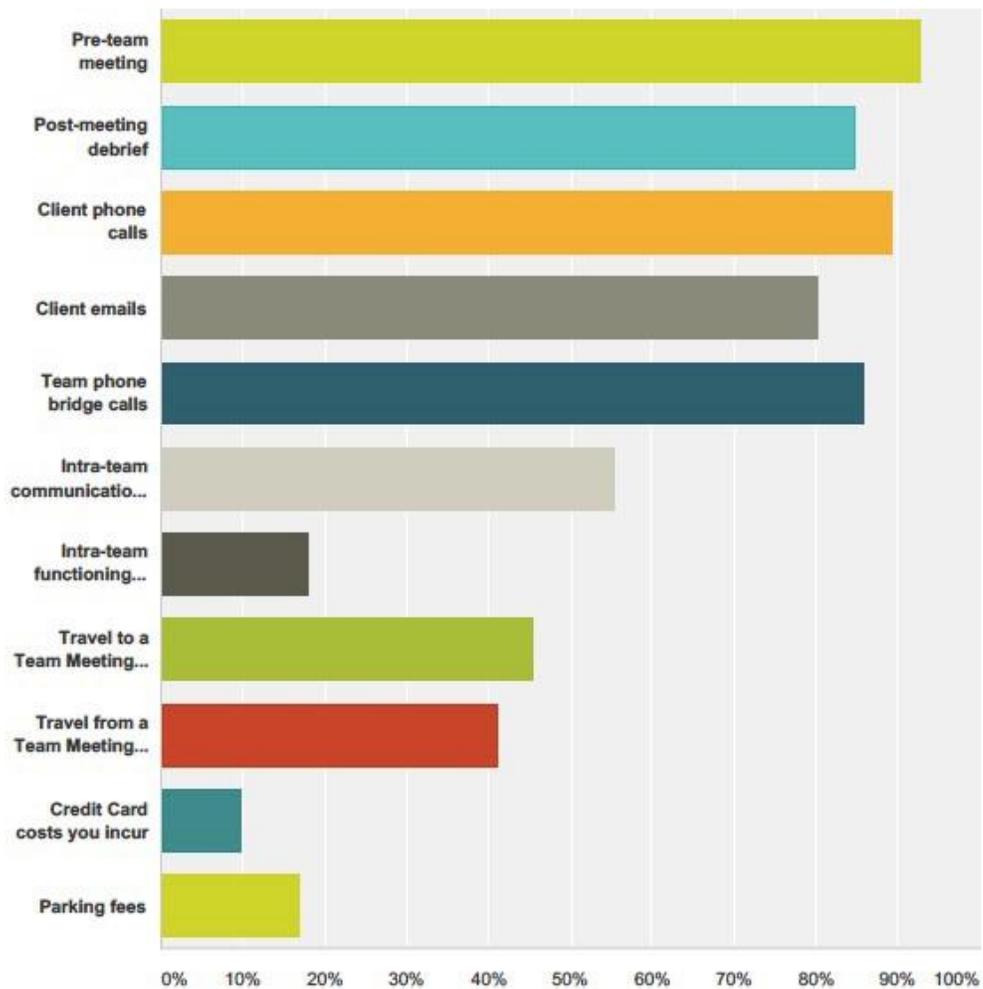
- Discussions are not "personal," but our ideas about billing and fees may be an outgrowth of our training and personal history.
- Knowing is better than not knowing.
- Clients should know what to expect, even if every professional charges differently. If we don't talk about it, how does that work with our clients?
- How do we handle it when professionals charge differently? (e.g., when one attorney discounts or doesn't charge, or when one professional's hourly rate is very different from his/her counterpart.) Does this cause resentment among team members?
- Is it important for teams to agree on time billed when more than one professional is involved (phone calls, team meeting, etc.)? Would that help to prevent resentments about disparities in charges?
- Should we aim for more consistency within our own practice groups and professional subgroups and how might legal and ethical concerns arise as a result? (e.g., antitrust issues.)
- While this survey did not look at gender differences regarding this question, this may be an additional topic of discussion.

Survey Results

Of the 117 respondents there were 67 Lawyers (57%), 20 Financial Professionals (17%) and 33 Mental Health Practitioners (28%). Our thanks go out to you. The Practice Excellence Committee promised to share these results, so here they are.

Almost all professionals (96%) bill for at least some of their time over and above Team Meeting time. All professions equally represented those who do not bill for additional services.

The following chart represents the frequency at which various additional charges are billed.



As can be seen below, there are differences as to which professionals tend to charge for those services.

If you do bill clients for services over and above Collaborative Team Meeting time which of these would you bill?

	Lawyers	Financial	Medical
Pre-team meeting	59%	16%	6%
Post-meeting debrief	54%	15%	6%
Client phone calls	64%	14%	6%
Client emails	63%	12%	6%
Team phone bridge calls	56%	16%	6%
Intra-team communications (e.g., to clarify information)	39%	11%	6%
Intra-team functioning issues	13%	5%	6%
Travel to a Team Meeting only	32%	8%	6%
Travel from a Team Meeting only	31%	7%	6%
Credit card costs you incur	7%	2%	6%
Parking fees	14%	2%	6%

The comments elucidated some of the services billed:

- Writing of parenting plans.
- If the time is .1 (hours) I usually do not bill or put "no charge."
- I don't always bill for the services above and do much at no charge.
- Client document preparation, individual client meetings.

- Assumption is that "team" includes clients; or is for purpose of discussion of meeting issues and/or agenda; credit card costs billed are case costs, not service charge.
- I track every thing and then discount.
- There are times I bill for travel but only if my fee agreement so notes; most often I do not
- I don't bill the full charges for this; perhaps about 75% only.
- I function in a specialty advisor role and bill for services when/as needed.
- I try not to bill for any meetings used to clarify group procedures or issues.
- I charge 3% "administrative fee" which covers copies, phone charges, parking, credit card, etc.
- Individual sessions with client prior to team meetings.
- Travel time if substantial distances involved.
- On the question of billing for intra-team communications (e.g., to clarify information), I bill for it IF the need for it arises due to client behavior, but not if it is professional team dysfunctionality. Also, while I bill in tenths of an hour, I have a minimum billing time for any activity of 0.1 hrs.

The majority of you bill in 6-minute increments for phone calls and emails while only 12% billed for calls if they were over 15 minutes. As can be seen, the greatest difference is for Mental Health Professionals who apparently opt to bill only for greater increments of client contact, something they may want to consider. Similar patterns emerge regarding time spent on emails.

If you bill for client phone calls, in what time increments?	Overall	Lawyers	Financial	Mental Health
Per minute	3.7%	5%	6%	0%
6-minute increments	62.6%	82%	33%	35%
Only if over 5 minutes	9.3%	8%	17%	8%
Only if over 10 minutes	12.1%	3%	17%	31%
Only if over 15 minutes	12.1%	3%	28%	27%

If you bill for client emails, in what time increments?	Overall	Lawyers	Financial	Mental Health
Per minute	3.1%	5%	0%	0%
6-minute increments	61.2%	74%	38%	37%
Only if over 5 minutes	14.3%	9%	25%	21%
Only if over 10 minutes	8.2%	6%	19%	5%
Only if over 15 minutes	13.3%	6%	19%	37%

The vast majority of you do collect retainers; however, 51% of Lawyers' retainers were in the range of \$3,000-\$6,000. Financial Professionals' retainers were evenly divided between that and the \$1,000-\$3,000 ranges. Ninety-two percent of Mental Health Professionals collected the lower amount as their retainer. There were several interesting comments regarding this issue.

- I bill a minimum of .2 (two six minute increments). That's part of the considerations when deciding whether or not to bill a particular email / phone call.
- Substantive email, not scheduling email.
- Services billed for above collaborative team meeting are all related to case services, i.e., preparation of paperwork, client meetings, phone calls, etc.
- Phone calls and emails depend on the situation.
- Phone calls and emails are subject to my discretion. Some get billed; some don't, largely depending on the topic and time involved.

- I do N/C emails and phone calls that are under 5 minutes. Team meetings and calls that are not substantive client contacts, but rather teams discussing protocols or team functioning would not be charged to clients.
- Team bridge meetings are charged sometimes, depending on the topics.
- I don't bill for all emails. And would bill in .05 increments too, which isn't up there as a choice. I don't bill for scheduling emails and phone calls either.
- Re: email billing. Rather than in minutes, I often bunch them on a billing, e.g., 15 emails during this period 1 hour (unless there is other work I am doing as a result of the email!) Often times, emails can be a form of venting . . . cheers.
- On the question of billing for intra-team communications (e.g., to clarify information), I bill for it IF the need for it arises due to client behavior, but not if it is professional team dysfunctionality. Also, while I bill in tenths of an hour, I have a minimum billing time for any activity of 0.1 hrs.

	Overall	Lawyers	Financial	Mental Health
Do you collect a retainer from your client OR	85.2%	91%	80%	75%
Use a pay-as-you-go system	14.8%	9%	20%	25%

On many Teams this seems to be dealt with consistently; however, a sizable percentage of you do not coordinate this, potentially having consequences in how different billings are viewed by clients. This issue garnered the following comments:

- I do both - often clients are wiped out by attorney retainer - which they expect.
- Once we have started I decide whether to switch to pay as you go or stay with replenishing the retainer.
- More what I'm used to as a therapist. I keep a credit card on file in my online system and charge it as I go.
- I start with a retainer then use pay as you go.
- My legal services agreement lets clients select whether they want to maintain a deposit for fees, for which I charge a lower hourly rate, or if they want to pay a higher rate to pay-as-you-go.
- Most convenient for both the client and me.
- I collect a retainer to be used at the end of the case for doing the MSA, etc. Otherwise, they pay as they go.
- I have always used pay-as-you-go and currently use "square" for credit cards.
- The retainer fee varies with the complexity of the case.
- Retainer varies per case and replenish amount is less than original retainer. Range for retainer is \$2,500 to \$5,000.
- I have had conversations with mental health colleagues regarding hourly rates and amounts of retainers so we're charging similar amounts. I like the idea of having more practice group conversations on these topics, thanks.

Do Team Members coordinate how much time they will be billing for a service they provide as a Team?

Yes	79.8%
No	20.2%

Over 2/3 of Practice Groups do address issues regarding billing as part of their meetings; however, the data below tells more of the story. Many of the respondents chose not to answer this question. It is unclear if that indicates that those representatives are members of Practice Groups that do not deal with this difficult matter at all.

If yes, how often?		
Annually	24.0%	18
1-2 times a year	44.0%	33
More than twice a year	32.0%	24
Answered question		75
Skipped question		42

Regarding Practice Group fee-related discussions:

- I can't remember if there has been a discussion of fee-related issues in my practice group since I have been a member - just the last 3 years.
- We have discussed a streamlined model on a number of occasions.
- RE: practice group and fees; I don't remember any such conversations but they could happen.
- Actually fees are discussed with the practice group more typically in a case conference format - we haven't had a program on fees in several years. Probably needed. Thanks for bringing this to my attention.
- Confused on what is meant by Fee-Related Issues. I am answering as if the question was "do we look at ways to lower the cost of the process."
- We actually discuss less than 1-2 x per year - and not whole practice group - just a given team or co-mediation configuration.
- Some of these matters are case specific. I think our group discusses fee issues less often than once per year.
- We cannot set fees, as it is an ethical violation for our field. However, we do openly discuss fee-related issues in general and case specific as is needed. It is an ongoing discussion. Any information provided from CP Cal would be appreciated.
- Fee-related questions come up periodically as a discussion topic in the Practice Group, but not as an agenda item. Might be a good program. Thanks.
- Our practice group does talk about fees in general and how to contain costs - just not on a per person or per professional basis.
- Rarely; we add up the costs for the entire case at the end, or if we need to, we will do it during the case.
- Our pod has been discussing the high cost of Collaborative and what we can do to change things for the good. Specific fees are not discussed, but many of the issues you bring up in this survey we have talked about.

So, is this grist for your Practice Group Mill? We certainly hope that it is. Finances and money are such key issues in the work that is done in Collaborative Practice that it would behoove practitioners to broach this key issue, keeping in mind your professional ethical constraints.



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