

**VILLAGE OF MAMARONECK**  
**LEGAL BILLING POLICIES & PROCEDURES**

The following are the Village of Mamaroneck (VOM) billing policies and procedures for legal counsel:

**I. INTERNAL CONTROLS**

- A. VOM must receive an Agreed To Litigation Plan (ATLP). The ATLP should include:
1. Identification of the issues that need to be resolved.
  2. Selection of a preferred resolution.
  3. A strategy to achieve the preferred resolution.
  4. An understanding of costs to be incurred (i.e., a budget)

**II. CASE MANAGEMENT/BILLING PRACTICES**

A. Monthly Billing

Bill on a regular basis. Have all bills sent together for each month.

B. Multiple Attorney Attendance

The VOM will pay for only one attorney attending depositions, meetings, court appearances, trials, etc.

C. Paralegal Services

The VOM will not pay for either attorney or paralegal services which are clerical in nature, such as for file organization or Bates stamping, processing deposition transcripts, electronic Court correspondence, Court date notification, preparation of Court forms which are clerical in nature, etc. or where there is no significant value added to the case.

D. Personnel Charges

The VOM will not pay for the cost of preparing new participants for their involvement. The VOM will also not pay for multiple file reviews by the same lawyer.

E. Research

1. All research in excess of five hours total during a single ATLP timeframe must be discussed with VOM in advance.

2. The VOM will not pay for research which is routine in nature. The VOM expects all counsel to maintain a central research depository, such as a brief bank, and to refer to that depository prior to conducting de novo research. The VOM will not pay for the redundant research, and will only pay for extending or revising prior research to update it, not if the previous research had been conducted de novo. It is anticipated that routine discovery motions, if approved, will not require any special research.
- F. Each entry must state the who, what, why and where of the case. (Please include a legend on every bill describing the full name for initials indicated, e.g. CLD – Christie L. Derrico)
  - G. Court appearances and travel to/from Court should be separated.
  - H. No billing for internal memos to files – if it is important that it needs to be memorialized, then a letter or status report must be provided.
  - I. No billing for preparing subpoenas.
  - J. No block billing – each task must have a separate entry.
  - K. No billing for leaving phone messages.
  - L. One partner and one associate – may not have multiple people working on the file. (A request must be made in writing (e-mail) advising the need for multiple people.)
  - M. May not bill for normal overhead expenses such as secretarial, word processing, local telephone calls and postage.
  - N. The Village will not pay for any requested audit of bills.

### **III. MOTIONS**

- A. Must be approved by the Village Attorney before heard.
- B. Changes of success and basis for motion must be timely discussed.

### **IV. ROLLOVER MINUTES**

If a Retainer Agreement allows for rollover minutes to the next billing cycle, each bill must be accompanied by a statement of that month's billing.

## **V. TRAVEL EXPENSES**

The VOM will not pay for local travel expenses. Travel time is not permitted if the firm is less than 25 miles from Court. The VOM will only reimburse counsel for reasonable travel expenses.

## **VI. OVERHEAD AND NON-BILLABLE ITEMS**

A. The VOM considers the following items to be overhead costs, included in the law firm's hour rate, or otherwise non-billable:

1. Charges for computerized legal research services such as Westlaw or Lexis.
2. Charges for opening or closing files.
3. Charges for preparation of or collection of bills or invoices.
4. Word processing, clerical or secretarial charges, including overtime, whether expressed as a dollar disbursement or time charge.
5. Storage of open or closed files, rent, electricity, file folders, binders, or other office supplies or equipment.
6. E-mail is the preferred method of exchanging information. The VOM will not pay for other methods of delivery when e-mail is available and sufficient. The necessity for express charges, messenger services or the like should be discussed with the VOM and approved prior to incurring the charges except in emergency situations. If there is no written confirmation of approval, the VOM will not pay for these services.
7. Local telephone charges, facsimile charges of any kind, postage, receipt or transmission of document by any medium.
8. Technology costs, including hardware, software, licenses, personnel or services related to acquisition, maintenance or upgrade of the firm's technology infrastructure.
9. Long distance telephone, litigation support, or any other service in excess of the amount actually expended by the firm for such service. The VOM will not pay for any incremental amount, whether it is intended to recover the cost of equipment and hardware or not.
10. Photocopy charges in excess of \$.10 (ten cents) per page.
11. Auto mileage rates in excess of the rate approved by the Internal Revenue Service for income tax purposes.
12. Equipment, books, periodicals, research materials.
13. Any other items traditionally associated with overhead.
14. There shall be no billing for meals.