



JOE BLOGGS & JANE BLOGGS v PETER SCROGGS
Court of Queen's Bench of Alberta number 0045-8888

SUMMARY OF MONIES RECEIVED AND DISBURSED (1)

Date	Details of receipt or disbursement	Amount disbursed	Amount received
Jan 10, 2020	Retainer deposit from clients for disbursements (2)		1000.00
June 15, 2020	Advance from Liability Insurance Company Ms. Bloggs		5000.00
May 1, 2022	Settlement proceeds – Ms. Bloggs (Not including advance)		73,000.00
May 1, 2022	Settlement proceeds Mr. Bloggs		10,000.00
May 1, 2022	Settlement proceeds Subrogated property claim		3,000.00
May 1, 2022	Taxable court costs: Fees		5,000.00
May 1, 2022	Taxable court costs: Disbursements		3,000.00
May 15, 2022	Paid Law Firm – Fees on subrogated claim 20% per letter dated Aug 21 2021 (inc GST) (Invoice # 0001)	625.00	
May 15, 2022	Paid Property Ins Co (3) Subrogated insurance claim (Chq #001)	2,375.00	
May 15, 2022	Paid Law Firm – Disbursements (Invoice # 0002)	3,500.00	
	Interest on disbursements	nil	
May 15, 2022	Paid Law Firm – Fees (Invoice #0002) .		
	Received – Ms. Bloggs 78,000.00		
	Received - Mr. Bloggs 10,000.00		
	Taxable costs received - fees 5,000.00		
	Taxable costs received – disb. <u>3,000.00</u>		
	Total settlement proceeds 96,000.00		
	Less disbursements paid <u>(3,500)</u>		
	Net settlement proceeds 92,500		
	Fees – 25% (4)	23,125.00	
	GST 5%	1,156.25	
May 15, 2022	Paid to clients (Chq #002) (Including retainer credit - \$1,000.00)	69,218.75	
Total		\$100,000.00	\$100,000.00

NOTES – SUMMARY OF MONIES

1. **Summary** - A summary of amounts received and disbursed on behalf of the client serves to clarify the calculation of fees for the client. It must be accompanied by an invoice. The Law Society auditors suggest that it is very difficult to provide this information in an invoice alone, especially using the standard computer generated forms. The invoice should provide further details respecting disbursements incurred and paid as well as time and work of the lawyer.
2. **Retainer for disbursements** - In circumstances where a firm obtains a deposit for disbursements, it should be clearly and separately accounted for. Disbursements actually paid are recorded in the firm invoice in the usual way. If the Contingent Fee Retainer Agreement provides for the payment of interest on disbursements paid, then an interest credit also needs to be calculated where a deposit is received.
3. **Joint representation** - A lawyer must disclose to joint clients confidential information received during a representation. Relevance to each client and practicality are considerations. In the example, the lawyer recovered the subrogated claim of the insurer at the same time as the bodily injury claims but accounted for it at a different contingency rate. Where the claimant is subject to the [Workers' Compensation Act](#), disclosure of information is very important.
4. **Fee calculation** - Addition of the gross settlement amounts and deduction of the disbursements makes clear that:
 - a. The fee portion of the court costs is included and calculated in accordance with the Alberta Rules of Court;
 - b. There can be no mistake in calculating a contingency fee on the disbursements;
 - c. The contingency fee is not calculated on the client's own money, the retainer deposit;
 - d. The actual disbursements paid exceeded the amount recovered by way of court costs.