



Legislation Text

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PROPOSED ORDINANCE AMENDMENT

OUTSIDE COUNSEL AND LEGAL FEES

BE IT ORDAINED, by the Forest Preserve District of Cook County Board of Commissioners, that Title 1, Chapter 19, Section 1-19-1 - OUTSIDE COUNSEL AND LEGAL FEES, Sections E (1), (2), and (4) of the Forest Preserve District of Cook County Code of Ordinances is hereby amended as Follows:

Sec. 1-19-1

E. Fees, Expenses, and Rates

1. **Fees and Expenses.** Outside Counsel shall be paid reasonable fees and costs based on the type and nature of the case. Such fees and costs shall conform to the fees and costs authorized under this Section. Outside Counsel must pay for all expenses in advance unless otherwise expressly directed by the court or the Chief Attorney or Responsible Attorney. Reimbursement of expenses shall be requested as part of Outside Counsel's invoices. Expenses shall be reimbursed as follows:

- a. *Photocopying.* Reasonable photocopying at actual cost, not to exceed ten cents (\$0.10) per page.
- b. *Messenger service.* The use of messengers when there is a genuine need for expedited delivery at actual charges of a third-party vendor or, when an in-house firm messenger is used, at actual cost (not at the paralegal or legal assistant billing rate).
- c. ~~*Computerized research.* Actual costs of reasonably necessary computerized research services.~~
- d. *Experts.* The reasonable fees of qualified consulting and testifying experts retained to provide opinions necessary to the defense or prosecution of the litigation, except that all expert fees must be pre-approved by the Chief Attorney if they are anticipated to exceed five hundred dollars (\$500.00).
- e. *Travel.* Air travel expenses must not exceed the highest fare coach rate for the flight. Mileage expenses shall be at the Internal Revenue Service deductible rates. Hotels, car rental companies and airlines offering moderate prices and discounted corporate rates shall be used. Outside Counsel shall reduce the hourly rate charged by fifty (50) percent while an attorney or paraprofessional is traveling, unless legal work is being performed and is documented.

2. **General business costs.** Law firm overhead expenses including, but not limited to, rent, electricity, supplies, secretarial and support services, computer system expenses (including online

legal research), overtime expenses, local telephone service and other similar expenses, shall be considered part of the Outside Counsel's hourly rate.

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4. **Invoices.** Unless otherwise expressly directed by the court, Outside Counsel shall submit invoices for work performed on a periodic basis, no more frequently than monthly and no less frequently than quarterly. If the accumulated charges for the period are less than five hundred dollars (\$500.00), the charges shall be included in the next periodic invoice. The time spent performing the chargeable services shall be recorded on a daily basis to the nearest 1/10th of an hour and shall be broken down in detail, describing the work performed by each individual during that time period. Invoices shall contain the amount charged for each attorney and paraprofessional, including the time, the hourly rate and summary total for each. Invoices shall itemize expenses according to categories including the following: photocopying, messenger service, ~~computerized research~~, experts and travel. Invoices shall be paid subject to the approval of the Litigation Subcommittee and the District Board of Commissioners. For Non-Contested Matters, invoices totaling less than five thousand dollars (\$5,000.00) per such matter may be approved at the discretion of the Chief Attorney.

Effective date: This ordinance amendment shall be in effect January 1, 2024