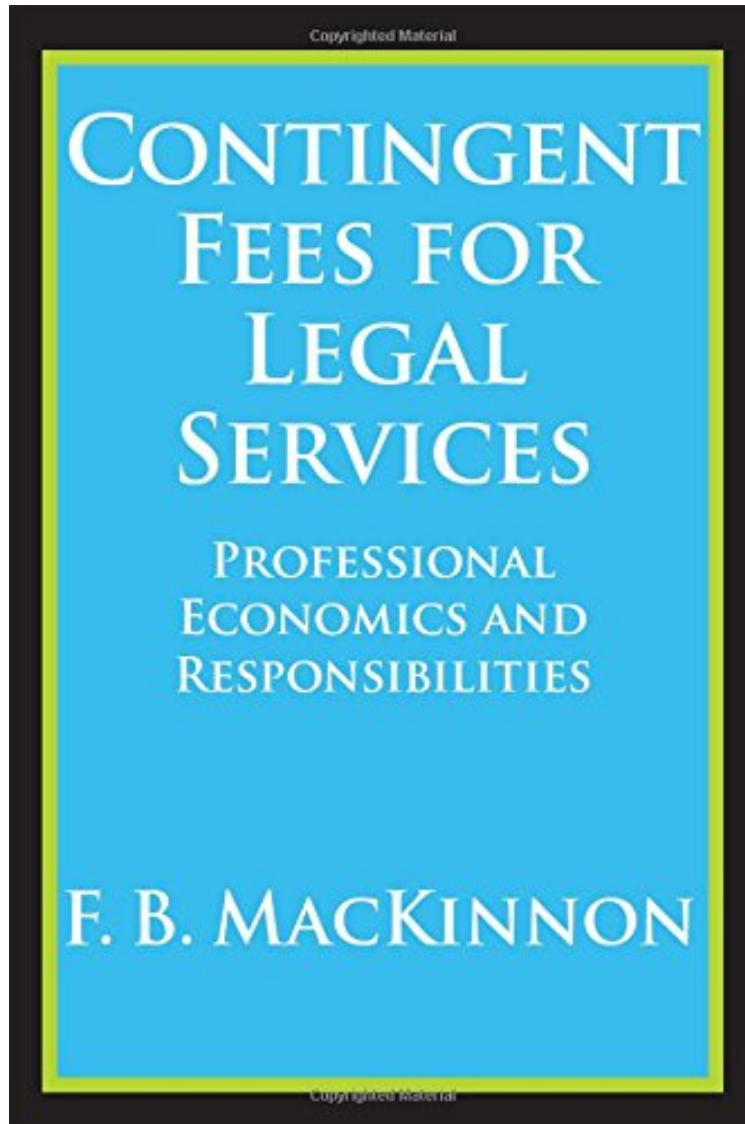


Contingent Fees for Legal Services: Professional Economics and Responsibilities

F.B. MacKinnon

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The practice of contingent fees - taking a percentage share of the money recovered for damage or injury - began among lawyers as a method of providing legal services for those unable to afford counsel. It is now the dominant method of financing litigation for both rich and poor. F. B. MacKinnon, in this book, examines the ethical and economic questions within the legal profession or ethical theory in general. "Contingent Fees for Legal Services" is a thoroughly documented study undertaken by the American Bar Foundation, the research affiliate of the American Bar Association. It provides the information necessary for evaluating the present status of this controversial practice and the proposals for its change. Arguments about contingent fees center around possible abuses in litigation, extreme competition for cases, increased emphasis upon winning cases, and other ethical considerations. This book describes fully the historical, professional and economic context within which contingent fees developed, without attempting to resolve the debates. In addition, the MacKinnon offers in one volume relevant court decisions, statutes and administrative regulations, estimates the proportion of cases presented under contingent fee contracts, and describes fee schedules and practices. As it permits an objective assessment of the fairness of contingent fees both to clients and to lawyers, this book will therefore interest everyone concerned with reforms of the fee system - lawyers and judges, professors and students, plaintiffs and defendants, as well as policymakers. This is an issue that continues to irritate and confound all concerned with the costs as well as rights of the legal profession and its clients.

About the Author F. B. MacKinnon was educated at Princeton University, the University of Chicago and Harvard University, and was admitted to the bar in 1948. He has practiced law, taught at Harvard and the University of Chicago, and has been a research attorney with the American Bar Foundation.