

Marisa Byers-McNamara, MS, LPC

LICENSED PROFESSIONAL COUNSELOR

Updated 01/6/22

COURT ACTION FEES AGREEMENT:

Clients are strongly discouraged from having their therapist subpoenaed or asking for records to be provided for the purpose of litigation. Even though, you are responsible for the testimony fee, it does not mean the therapist's testimony will be solely in your favor. Therapists can only testify to the facts of the case and their professional opinion.

Asking a therapist to provide confidential records or testify can damage the trust built in a counseling relationship with a client, especially if the therapist is still seeing the client in therapy. If a therapist working at Byers Counseling is subpoenaed to testify OR provide records in a case where the client is a child, the therapeutic relationship is effectively ended and it is very likely the therapist will discontinue services to that child or family.

In the event you or your attorney feel it necessary to subpoena a therapist at McNamara Counseling, the attorney or office staff will need to call the office and set up a time for the subpoena to be served during office hours. A minimum of 72 business hours notice of any court appearances must be given in advance so that schedule changes for client appointments can be made within a reasonable time frame.

If a subpoena or notice to meet attorney(s) is received without a minimum of 72 business hours notice, there will be an additional \$300 express charge.

****The minimum charge for a court appearance is \$2,000.****

When it comes to court action, the following fees are in effect:

COURT FEES:	
▪ Court Appearance Retainer - The minimum charge for a court appearance is \$2,000. Due at least 72 business hours before the scheduled court appearance whether Marisa Byers-McNamara, LPC testifies or	\$2,000
▪ Please note: If a subpoena or notice to meet attorney(s) is received without a minimum of 72 business hours notice, there will be an additional \$300 express charge.	\$300
▪ If the therapist is subpoenaed and the case is reset with less than 72 hours notice prior to the beginning of the day of the scheduled subpoena, trial, and/or testimony is not given, then the client will be charged \$500 (in addition to the original retainer of \$2000 for having to appear in court).	\$500
▪ Copy of records	\$25 per file
▪ Preparation Time - including submission of records, wait time (billable in 30 min. increments)	\$350/hour
▪ Phone Calls: (billable in 15 minute increments)	\$350/hour
▪ Depositions	\$350/hour
▪ Time required while giving testimony – (billed in one-hour increments) -All appearance fees charged at a <u>4-hour minimum.</u>	\$350/hour (minimum of \$1,400)
▪ Time away from office due to Depositions/Testimony	\$350/hour
▪ Filing document with the court	\$150
▪ Mileage	\$0.56/mile
▪ Drive Time- (billed in 15 minute increments)	\$350
▪ If LPC Board requires Supervisor attendance - includes drive time, 4-hour minimum	\$300/hour
▪ Client will pay all attorney fees and costs that are incurred by the therapist as a result of legal action.	

******All fees listed above are doubled if the therapist has priorly been scheduled to be out of town at the time of the court appearance.******

- Additional fees beyond retainer will be billed after the court appearance and will be due upon receipt.
- Bills are presented to clients on a weekly basis and payment is expected upon receipt. If a payment is not made within a week of invoice being sent out, your credit card on file will be charged. A zero balance will need to be kept at all times.