

Committee Opinion
March 15, 1985

LEGAL ETHICS OPINION 667

CONTINGENT FEES FOR COLLECTION
OF CHILD SUPPORT ARREARAGES.

A contingent fee arrangement in collecting child support arrearages is unethical unless the following factors are satisfied:

1. Children involved have achieved or will soon achieve the age of maturity;
2. The attorney involved has objectively satisfied himself that the contingent fee arrangement would not likely in any way undermine the non-custodial parent's relationship with the minor child or children;
3. The prospective client is indigent and no other type of fee arrangement is practical;
4. The fee arrangement is fair and reasonable under the circumstances.
[LE Op. 189 and LE Op. 405, EC:2-22; cf. LE Op. 363 and LE Op. 423]

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Legal Ethics Committee Notes. – Rule 1.8(i) now allows related lawyers to be directly adverse to one another if the clients consent.