

How much I should pay for a lawyer in Shanghai China

Description

This is an inevitable question between any client-attorney relationship. Sometimes, it is the key factor dictating whether a client will go with a certain lawyer.

While different lawyers or attorney-at-law may quote different fees to a potential clients, there are some benchmarks for the parties to consider and follow. In fact, Shanghai local government has promulgated a specific regulation guiding the charge of clients by local attorneys. Here is the translation of the regulation.

It shall be noted that these guidelines are directed for arbitrations and litigations cases only, not for those non-contentious matters such as M&A. On a special note, readers shall be aware that such guidelines are not strictly compulsory or mandatory, subject to adjustment by the parties.

The Guiding Standards of Legal Fees for Legal Services in Shanghai

I. Legal Fees Charged on Case by Case Basis

1. Criminal Cases

(1) provision of services at the investigatory stage: RMB 1,500-10,000;

(2) provision of services at the stage of indictment by procuratorate: RMB 2,000-10,000;

(3) provision of services at the stage of court trial: RMB 3,000-30,000.

2. For civil, administrative and state compensation cases involving no properties: RMB 3,000-12,000.

II. Legal Fees Charged as a Percentage of Value of Claims or Properties

For civil, administrative and state compensation cases involving monetary claims or properties, progressive legal fees can be charged in light of amounts of claims or properties involved therein as follows:

for the part of amount below RMB 100,000 (inclusive), a percentage of 8%-12% can be charged thereon, and the minimum charge is RMB 3,000;

for the part of amount above RMB 100,000 – RMB 1,000,000 (inclusive), a percentage of 5%-7% can be charged;

for the part of amount above RMB 1,000,000 – RMB 10,000,000 (inclusive), a percentage of 3%-5%

can be charged;

for the part of amount above RMB 10,000,000 – RMB 100,000,000, a percentage of 1%-3% can be charged;

for the part of amount above RMB 100,000,000, a percentage of 0.5%-1% can be charged.

[in 2017, Shanghai Local government issues a revised version of this guiding standards, but the rates have remained the same.]

III. Legal Fees Based on Time

The hourly rate charged for representation in criminal, civil, administrative and state compensation cases can be RMB 200-3,000 per hour.

[Notes: (a) generally speaking, if it is a foreign-related case, the legal fee is higher than that in a domestic case with no foreign element involved. (b) the legal fees set out above are for legal representation in the court trial of first instance, and if the appellate proceeding is triggered, the legal fees for the trial of second instance can be half of the legal fees charged for the first-instance trial; (3) if a case is particularly important, difficult or complicated, the parties can agree on greater legal fee that shall not be more than five times the standards set forth above.]

IV. Legal Fees Contingent on Outcome

In the case of legal fee contingent on the outcome of legal representation, the maximum of legal fee charged shall not more than 30% of the monetary claims or value of properties involved.

_____ You can also read the original Chinese version below:

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(2017????)

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1????????????????????????????

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10?????100?????100????????????5%?7%?

100?????1000?????1000????????????3%?5%?

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