

"Two-Tiered Billing in Illinois Divorce Cases - a Critique," *Illinois Bar Journal*

Publications

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In this article, Of Counsel Jim Feldman discusses the issue of compensating attorney fees at a higher hourly rate for time spent in court than time spent out of court in Illinois dissolution of marriage proceedings. He argues that this two-tiered billing dichotomy presents several problems: it magnifies the imperfections in hourly billing; fails to accomplish its primary goal - to provide greater compensation for greater skill; arbitrarily elevates courtroom skills over all other skills and factors for determining compensation; creates problems for distinguishing what should be compensated at the higher "court time" rate; and dissuades compromise and encourages unnecessary resort to contested litigation.

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