

## HOUSE BILL No. 2420

By Representative DiVita

2-7

---

AN ACT enacting the legal consumer's bill of rights.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. This act shall be known and may be cited as the legal consumer's bill of rights. Each attorney licensed to practice law in this state shall append to every written retainer agreement or contract for legal services the legal consumer's bill of rights set forth in sections 2, and amendments thereto.

Sec. 2. (a) You, as the client, have the right to control your own legal affairs.

(1) Your attorney shall, at your request:

(A) Keep you informed about the status of your matter;

(B) promptly answer your questions;

(C) promptly return your phone calls;

(D) disclose any alternatives available to you for resolving your matter; and

(E) disclose the risks and benefits of each decision and alternative.

(2) You shall make all the key decisions in your matter, including whether, and on what terms to settle a dispute or lawsuit. If you are not satisfied with the legal services that you have retained, or with how your matter is being handled, you have the right to file a complaint with the disciplinary administrator.

(b) You, as the client, have the right to be fully informed about the costs and fees associated with your legal matter.

(1) Your lawyer shall disclose:

(A) All alternative fee arrangements;

(B) total anticipated fees and expenses through trial;

(C) total anticipated costs; and

(D) referral fees paid to other attorneys.

(2) Your lawyer shall:

(A) Sign a written fee agreement that spells out the terms of every representation;

(B) agree not to exceed estimated costs and fees without your consent;

(C) agree to return any unspent portion of your retainer or other

1 advanced payment; and

2 (D) make full use of economical and efficient legal support services  
3 such as paralegal and legal secretaries, as well as your own personal serv-  
4 ices to reduce the costs to you.

5 (c) You, as the client, have the right to retain qualified legal  
6 representation.

7 (1) Your lawyer shall:

8 (A) Provide timely, thorough, professional legal services;

9 (B) advise you to solicit, or arrange for co-counsel if such lawyer is  
10 not qualified to represent you in the areas of the law relevant to your  
11 matter;

12 (C) respect your right to privacy and your confidential information;

13 (D) not neglect your matter;

14 (E) ensure that such lawyer does not have a conflict of interest rep-  
15 resenting you;

16 (F) maintain accurate records; and

17 (G) provide you, upon your request, with copies of all court docu-  
18 ments and letters that they produce or receive while representing you.

19 (2) You have the right to an accessible legal system. Complaints  
20 against lawyers will be considered by the disciplinary administrator.

21 Sec. 3. This act shall take effect and be in force from and after its  
22 publication in the statute book.

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43