Costs of Litigation

Generally, lawyers charge on a time-spent basis plus disbursement. Current charging rates of solicitors range from HK$1,800 to HK$4,000 per hour depending on seniority of solicitor, complexity of matter, amount at stake and other factors. It should be noted that a solicitor with a lower charging rate does not necessarily charge lower because he may be inexperienced and has to spend more time on the matter without satisfactory result.

Lawyers in Hong Kong are prohibited by law to charge fees on a contingency basis. It is often difficult to give a realistic estimate of the costs of litigation before the start of the action. Costs incurred depend on the amount of work done, which in turn depends on how the opponent responds to a claim. A case settled at an early stage will be less expensive than a case which proceeds to full trial.

As a general rule, the losing party has to pay for the costs of the winning party. The actual amount to be paid, if not agreed, will be assessed by the court.

Many types of litigation by or against individuals are covered by Legal Aid. If the applicant can pass the “merits test” (i.e. the case has a reasonable chance of success) and the “means test” (i.e. the applicant’s disposable assets are not more than HK$155,800), Legal Aid will be granted. Usually the litigants can choose his own lawyers who are eligible to handle the case even if the case is financed by Legal Aid. For more details, please see http://www.info.gov.hk/lad/.

Achieving Best Result with Lawyers

It should be remembered that the court decides a case on law and the evidence presented to it. Even if the truth is on your side, if the evidence is not properly presented to the court to show the truth you may still lose the case. And it is very difficult to present new evidence on appeal. Hence it is of vital importance that a case must be prepared meticulously. This means:-
1. The solicitor must take very detailed instructions from the clients on the facts of the case.

2. The solicitor must research carefully on the relevant law and give full advice to the client on his legal position.

3. All relevant evidence must be examined thoroughly and properly presented to the court.

We at ONC Lawyers will not create facts for you. But we will use our best endeavours to advise you on your legal position and the options available to you, and present your case in the most favourable light to the court so that a just verdict could be obtained for you. Our past records are a testimony of our ability.