

[Has the Billable Hour Taken Another Hit?](#)

Posted on February 17, 2009 by [Gary A. Bresee](#)

A month ago I reported on Scott Turow's article, the "[Billable Hour Must Die](#)." Well, apparently, the New York Times now agrees. In "[The Billable Hour Giving Ground at Law Firms](#)," Jonathan Glater reports how the tough economic times are creating a shift away from the old standby billable hour. Examples given of alternative fee arrangements include:

- flat fees for business transactions,
- success fees for positive results,
- flat fees for mortgage closings,
- contingency fees,
- monthly retainers for litigation clients, and even
- fixed fees for each stage of a particular piece of litigation.

The discussion is certainly a healthy one, particularly for attorneys who may be trying to compete for clients by creating a real difference between them and their competitors. I do not believe the billable hour will go by way of the dinosaurs, but perhaps we will see a changing competitive landscape, where firms may be forced to alter their way of thinking in order to compete in the marketplace.

Have you proposed any alternative billing arrangements recently?