

Office of Superintendent of Schools  
Board Meeting of March 14, 2001

March 12, 2001

Office of School Board Attorney  
Johnny Brown, Board Attorney

**SUBJECT: RECOMMENDATION FOR INCREASE IN HOURLY LEGAL FEES FOR  
CONSTRUCTION LITIGATION COUNSEL**

Two firms, Tew Cardenas Rebak Kellogg Lehman DeMaria & Tague, LLP and Rosen & Switkes, specialists in construction litigation matters, defend the School Board in litigation seeking damages for claims arising by reason of alleged breach of contract on the part of the Board or its employees and representatives.

These firms have served the Board with a high degree of expertise and fidelity for a number of years. After approximately six years of highly successful work defending the Board, the firms have never asked the School Board to increase their rates, even though those rates are and always have been well below the market rate for such services.

The firms now request that their hourly fees be raised considering their increasing overhead costs and the upward movement in rates for legal services in this highly specialized field. The firms are requesting that the rates be increased as follows: up to \$200 per hour for lead counsel, up to \$120 per hour for associates, and up to \$70 per hour for paralegals. The new rates requested are]revised reasonable and are less than the average prevailing hourly charges for these firms to their other construction litigation clients.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize an increase in hourly legal fees for construction litigation counsel as follows: up to \$200 per hour for lead counsel, up to \$120 for associates, and up to \$70 per]revised hour for paralegals, effective March 15, 2001.

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