

Questionnaire for Barristers

Enumerator no.: E ____

Sample no. : ____

Legal services provided

1. Please indicate below the kind of legal services actually provided by you in 2004 and anticipated changes in the volume of work in 2005. (Please “tick” all that apply)

Type of service	Whether services provided in 2004		Anticipated changes in volume of work in 2005 (as compared to 2004)			Remarks
	Yes	No	Increase	No change	Decrease	
a) Criminal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b) Civil						
PRC-related matters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Administrative/ constitutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Human rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advocacy services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Commercial and company	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shipping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Intellectual property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Insolvency and bankruptcy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wills and probate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Matrimonial and family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Discrimination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Defamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Employment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Immigration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Personal injuries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Professional negligence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Consumer services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Landlord and tenant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Land and property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Building management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Others, please specify: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

2. Please provide information on the estimated proportion of time spent on each category of legal services provided by you in the past six months (in 2005)? (Please “tick” all that apply)

	Percentage of time spent in 2005				
	1-20%	21-40%	41-60%	61-80%	81-100%
a) Criminal					
Defence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Civil					
PRC-related matters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Administrative/ constitutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Human rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advocacy services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial and company	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shipping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intellectual property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insolvency and bankruptcy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wills and probate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matrimonial and family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discrimination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Defamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Immigration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Personal injuries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professional negligence	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consumer services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landlord and tenant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land and property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Building management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others, please specify: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. On average, how many hours per week did you work on the above legal services in the past six months (in 2005)?

Litigation related: _____ hours/week
 Non-litigation related: _____ hours/week
 Arbitration/ mediation: _____ hours/week

 Total: _____ hours/week

4. Have you turned away requests for service in the past six months (in 2005)?

(1) ☐ Yes. Please provide the following information:

(3) The main reasons were (please "tick" all that apply):

(a) ☐ No time

(b) ☐ Not area of specialization

(c) ☐ Other reasons, please specify: _____

(4) Do you normally refer the requests you decline to other barristers?

(a) ☐ Yes

(b) ☐ No

(2) ☐ No

5. Have you taken up any cases in the past six months (in 2005) which were funded by legal aid or the Duty Lawyer Scheme?

(1) ☐ Yes

(2) ☐ No. The reason(s): _____

6. Please advise the estimated proportion of criminal and civil cases handled by you in the past six months (in 2005), in terms of time spent, by sources of funding.

	Percentage of time spent in 2005			
	Cases funded by Legal Aid	Cases funded by Duty Lawyers	Cases funded by government	Cases funded by clients other than government
Criminal				
Defence				
Prosecution				
Civil				

Profile of clients served

7. Please advise which categories of clients you have represented in the past six months (in 2005) and the estimated proportion of time devoted to represent each group of clients?

(Please "tick" in the boxes below. More than one category of clients may be chosen, if applicable)

	Percentage of time spent in 2005					
	0%	1-20%	21-40%	41-60%	61-80%	81-100%
a) Criminal						
Defence						
Large corporations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small and medium enterprises*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private individuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Civil						
Large corporations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Small and medium enterprises*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Government and public bodies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Non-profit-making organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private individuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Manufacturing companies with less than 100 employees or non-manufacturing companies with less than 50 employees

Promotion of legal services

8. Other than through the Bar List, have you taken any measures to make known the services provided by you to solicitors?

- (1) ☐ Yes. Please specify the measures taken: _____
- (2) ☐ No. Reasons are: _____

9. Other than through the Bar List, have you taken any measures to make known the services provided by you to the public?

- (1) ☐ Yes. Please specify the measures taken: _____
- (2) ☐ No. Reasons are: _____

Pro bono services

10. Have you participated in pro bono services in the past six months (in 2005)?

- (1) ☐ Yes, the activities participated were: Average time spent per month
(More than one choice may be chosen)
- (3) ☐ Free Legal Advice Scheme (for civil cases) = _____ hours
- (4) ☐ Bar Free Legal Advice Scheme = _____ hours
- (5) ☐ Free legal advice service organised by NGO = _____ hours
Name(s) of NGO: _____
- (6) ☐ Other free legal advice service to the public = _____ hours
Please specify: _____ = _____ hours
- (7) ☐ Community legal education (e.g. seminars/ talks)
- (8) ☐ Honorary legal advisors to NGO = _____ hours
Name(s) of NGO: _____
- (9) ☐ Others, please specify: _____ = _____ hours
- (2) ☐ No. The reasons were: (More than one choice may be chosen)
- (10) ☐ No time
- (11) ☐ No interest
- (12) ☐ Location of service not convenient
- (13) ☐ Others, please specify: _____

Fee level

11. Please indicate below the hourly rate you charged your clients in the past six months (in 2005)?
(Please "tick" all that apply)

	Hourly rate charged in 2005					
	Below \$1,000	\$1,001- \$2,500	\$2,501- \$5,000	\$5,001- \$7,500	\$7,501- \$10,000	Above \$10,000
a) Criminal						
Defence						
Duty Lawyer Scheme/ Legal Aid	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paid by business corporations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paid by private individuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Hourly rate charged in 2005					
	Below \$1,000	\$1,001- \$2,500	\$2,501- \$5,000	\$5,001- \$7,500	\$7,501- \$10,000	Above \$10,000
b) Civil						
Legal aid cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paid by business corporations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paid by government/ public bodies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paid by non-profit-making organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paid by private individuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. Please indicate below changes in hourly rate you charge in 2005 as compared with three years ago (i.e. 2002).

(1) ☐ Criminal cases:

(3) ☐ Cases financed by clients in the private sector (please “tick” as appropriate)

- (a) ☐ Increase significantly
(b) ☐ Increase
(c) ☐ No change
(d) ☐ Decrease
(e) ☐ Decrease significantly

(2) ☐ Civil cases:

(4) ☐ Cases financed by clients in the private sector (please “tick” as appropriate)

- (a) ☐ Increase significantly
(b) ☐ Increase
(c) ☐ No change
(d) ☐ Decrease
(e) ☐ Decrease significantly

13. Please advise below your present fee structure.

(1) ☐ The usual fee structure is:

(4) ☐ Brief fee (please “tick” as appropriate)

(a) ☐ below \$10,000

(b) ☐ \$10,001 - \$20,000

(c) ☐ \$20,001 - \$50,000

(d) ☐ \$50,001 - \$100,000

(e) ☐ Above \$100,000

% of cases charged at different rates:

_____ %

_____ %

_____ %

_____ %

_____ %

Total

100%

(5) Refresher fee (please “tick” as appropriate)

(a) ☐ below \$5,000/ day

(b) ☐ \$5,001 - \$10,000/ day

(c) ☐ \$10,001 - \$20,000/ day

(d) ☐ \$20,001 - \$30,000/ day

(e) ☐ Above \$30,000/ day

_____ %

_____ %

_____ %

_____ %

_____ %

Total

100%

(6) Others, please specify: _____

(2) ☐ “All-in” fee

(3) ☐ No definite fee structure

14. Taking the past six months (in 2005) as a reference, how often were you able to give an estimate of the total cost of the case to your clients?

- (1) ☐ Very often
- (2) ☐ Sometimes
- (3) ☐ Rarely
- (4) ☐ Never

15. How often did you charge an “all-in” fee in the past six months (in 2005)?

- (1) ☐ Very often
- (2) ☐ Sometimes
- (3) ☐ Rarely
- (4) ☐ Never

If your answer is (1), (2) or (3), please specify items included in your “all-in” fee (e.g. preparation for a trial up to a specified number of days)

16. Based on your experience in the last 3 years, please advise the approximate proportion of bills which were unpaid after one year (in terms of amount).

- (1) ☐ Less than 10%
- (2) ☐ 10-19.9%
- (3) ☐ 20-29.9%
- (4) ☐ 30-39.9%
- (5) ☐ 40-49.9%
- (6) ☐ 50% or above

17. Please advise the monthly amount of chamber cost paid by you in the past six months (in 2005).

\$ _____ per month.

18. Please give below any views you may have on the balance between demand for and supply of legal services in Hong Kong.

———— End of Questionnaire ————