

AN ACT

An Act to make provision for the regulation and control of fees charged by Lawyers in respect of their professional works and to provide for matters connected therewith and incidental thereto.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS:

1           Section 1. Short title.

2                     This Act may be cited as the Lawyers fees  
3           (Regulations and Control) Act 1986 and shall come into operation  
4           with the promulgation of the Regulations made by the Minister  
5           of Justice under Section 4 of this Act.

6           Section 2. Interpretation.

7                     "Client" means a person, group of persons, firm  
8                     partnership or corporation or any other body which  
9                     engages the services of a lawyer for any fee in  
10                    respect of professional service.

11                    "lawyer", means an Attorney-at-Law or any other  
12                    person qualified in law and includes a trial  
13                    assistant.

14                    "professional service" includes appearing before  
15                    the Supreme Court, High Court, District Court or  
16                    Traditional Rights Court or before any person, body,  
17                    corporation or tribunal or any other institution or  
18                    department of government, drafting of pleadings,  
19                    motions, affidavits and other documents to be filed  
20                    in court and the preparation and drafting of deeds,  
21                    agreements, contracts or any other documents or

1           instruments and giving advice on any matter  
2           whatsoever for a fee.

3           Section 3. Regulation and Control.

4           Notwithstanding anything to the contrary in any other  
5 law, with the coming into operation of this law, no Lawyer  
6 shall charge and no client shall pay in the Republic of the Marshall  
7 Islands any fee in excess of the sum prescribed in the Regulations made  
8 under this Act in respect of any professional services rendered by him  
9 to a client.

10          Section 4. Regulations.

11           (1) The Minister of Justice shall make regulations  
12 prescribing maximum fees a lawyer may charge in respect of  
13 any professional service rendered by him, subject to provisions  
14 of the Administrative procedure Act.

15           (2) The regulations made under Subsection (1) above shall  
16 come into effect with the promulgation of the same under the hand  
17 of the Minister of Justice.

18          Section 5. Transitional.

19           The provisions of this Act and the Regulations made  
20 thereunder shall apply in respect of any fee or part of a fee not  
21 charged or paid for any professional service rendered or to be  
22 rendered between a lawyer and a client.

23          Section 6. Penalty.

24           Any person who contravenes any of the provisions  
25 of this Act and the Regulations made thereunder shall be guilty

1 of an offence and shall upon conviction thereof be liable to a  
2 fine not exceeding \$2,500, and in the case of a Lawyer or a Trial  
3 Assistant the court may in addition to the fine suspend his licence  
4 to practice for a period of time or cancel such licence as it may deem  
5 fit.

6 Certificate

7 I hereby certify:

8 (1) that the above Nitijela Bill No. 93 N.D.- 1 has been  
9 passed by the Nitijela of the Marshall Islands on the 25th day of  
10 February, 19 86; and

11 (2) that I am satisfied that Nitijela Bill No. 93 N.D. 1  
12 has been passed in accordance with the Constitution of the  
13 Marshall Islands and the Rules of the Nitijela.

14 I hereby place my signature before the Clerk of the Nitijela  
15 this 10th day of March, 1986.

16

17 /s/ Atlan Anien  
18 Atlan Anien, Speaker  
Nitijela of the Marshall Islands

19

20 Attest:

21

22 /s/ Rufina N. Jack  
23 Rufina N. Jack, Acting Clerk  
Nitijela of the Marshall Islands

24 Concurred by: High Commissioner  
March 31, 1986

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