 doi 10.1515/rle-2013-0009 — RLE 2013; 9(3): 357–387

Article

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Who Benefits from the Uniformity of Contingent Fee Rates?

Abstract: L (CF) . A . I CF C CF . I . I CF ( ) “ ”

Keywords:

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1 Introduction

C (CF)

CF

2 Related literature

G (2004) , - . H , CF . F , (1993) . , , CF , , ( ) , A . F , F . (2005) . C (2000) , - . ( ). D - (D ., 2010). CF , : CF . A , .

3 The model

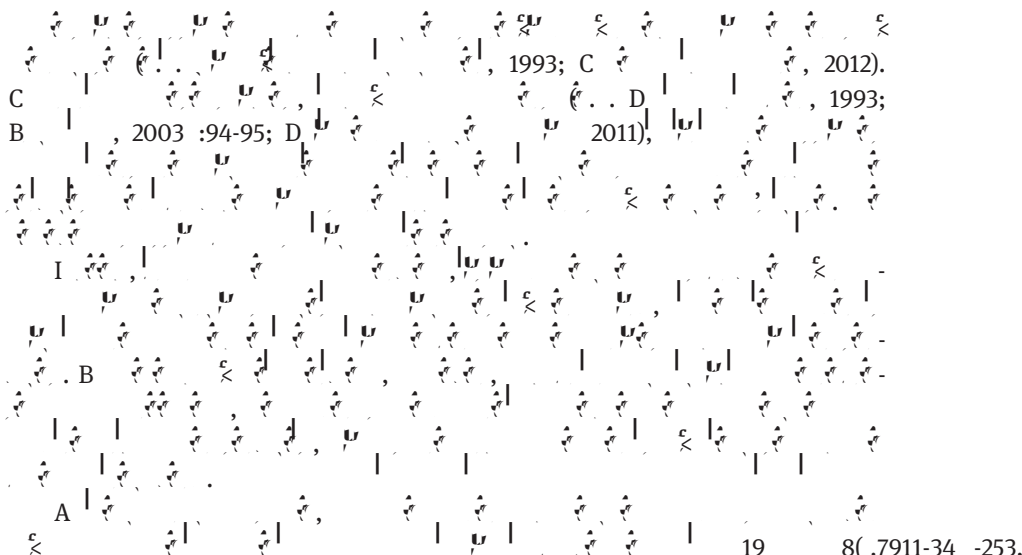
, - CF . (1, 2, ...),

[illegible]

CF

CF

4.2 Information asymmetry



4.3 Stability of the equilibrium

A
CF . A -
CF . A
CF . A
CF . A
CF . A CF -
, 1970; , 1987; , 1991;
, 1994; , 2003; K ., 2007). A
" CF (
, 2011).
CF (B , 2003 ;
2011:27-29).
CF
1/3,
(, 1960:67).[8]
–
(B , 1993:70),[9]
CF
. F
CF
:
[10]
G CF

8 - CF
1/4, 1/3, 2/5 1/2, . I
80%

, 1997; K , 1998; , 2001; D , 2009:322-323).

(. . B -H , 1996),

CF

), ( ) (, 2001:550).

4.4 Risk aversion

(,), CF CF (, 1970; , 1987; , 1991; , 1994:43-45). CF CF ( ).

4.5 Varying the amount of work

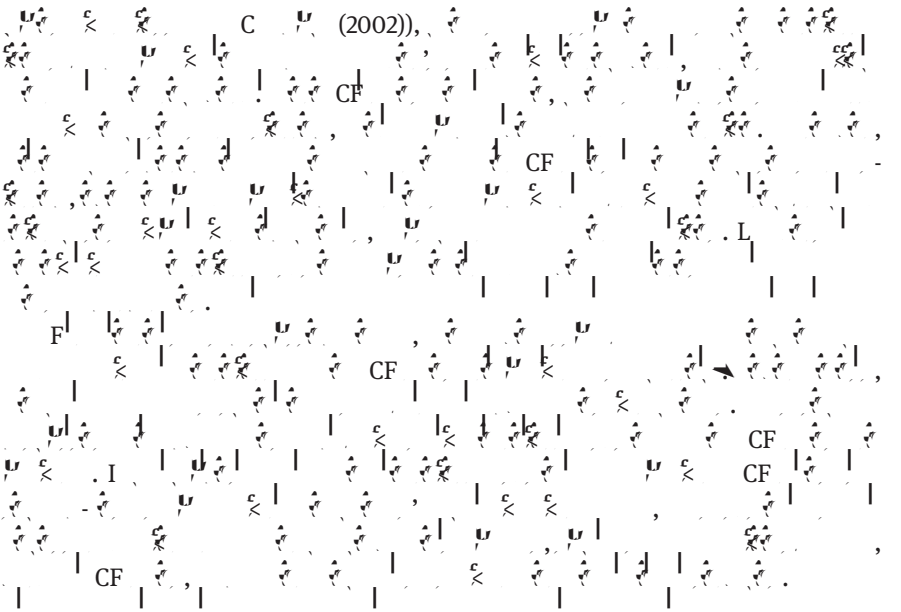
CF [13] [14] CF (L , 1993:505-511), I (*) (*).[15] H , , CF

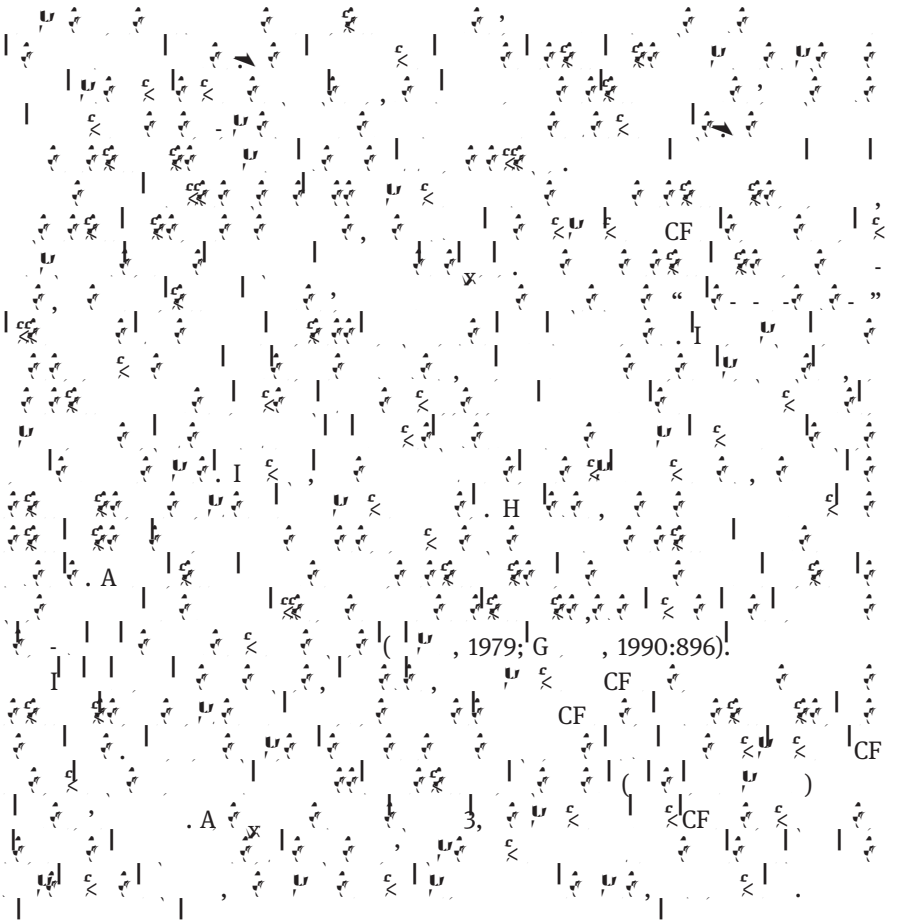
4.6 Search costs

C

$800. G CF
L A,
CF - . H ,
L B
($650 L B $600 L A).
( )
( ).
CF ,
A
A B,
B (,) (
1998:368). I A
B,
CF ,
A B.
B.[16] H
. H
CF , B –
– CF
. I CF
D –
– 4.1
CF .
(-

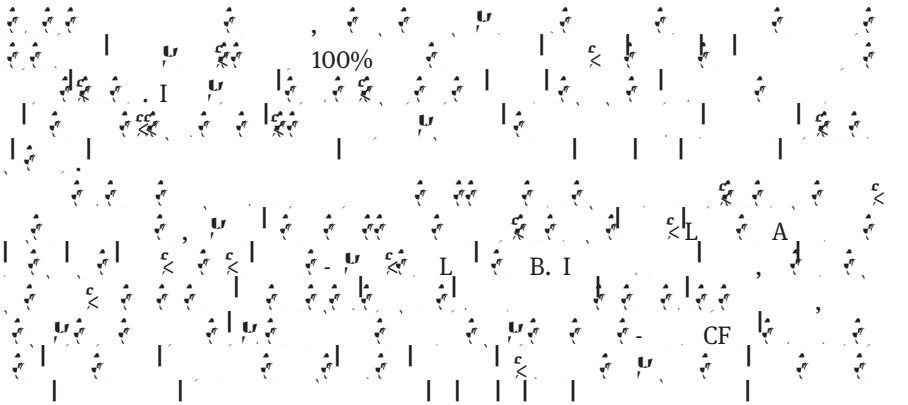
16 I
4





( ), . L (, 2001; K , 2004:58-60). H - (, , ,

.[19] C
G (2004), ( ),
( )
( )
(, 2001:145, 155, 158).


100%
I
L
A
L
B. I
CF

References

Abel, R.L. 2006/2007. "How the Plaintiffs' Bar Bars Plaintiffs," 51 New York Law School Law Review 345-376.

Bar-Hillel, M., and E. Neter. 1996. "Why Are People Reluctant to Exchange Lottery Tickets?" 70 Journal of Personality and Social Psychology 17-27.

Ben-Shahar, O., and J.A.E. Pottow. 2006. "On the Stickiness of Default Rules," 33 Florida State University Law Review 651-682.

Bernstein, L. 1993. "Social Norms and Default Rules Analysis," 3 Southern California Interdisciplinary Law Journal 59-90.

Bolton, P., and M. Dewatripont. 2005. Contract Theory. Cambridge, MA: MIT Press.

Brickman, L. 1989. "Contingent Fees without Contingencies: Hamlet without the Prince of Denmark?" 37 UCLA Law Review 29-137.

Brickman, L. 2003a. "Effective Hourly Rates of Contingency-Fee Lawyers: Competing Data and Non-Competitive Fees," 81 Washington University Law Quarterly 653-736.

Brickman, L. 2003b. "The Market for Contingent Fee-Financed Tort Litigation: Is It Price Competitive?" 25 Cardozo Law Review 68-128.

Chen, H.-C., and J.R. Ritter. 2000. "The Seven Percent Solution," 55 Journal of Finance 1105-1131.

Cotten, S.J., and R. Santore. 2012. "The Effect of Contingent Fee CapUCLA

Parikh, S. 2006/2007. "How the Spider Catches the Fly: Referral Networks in the Plaintiffs' Personal Injury Bar," 51 New York Law School Law Review 243-283.