

*Natalie Meza Contreras:*

My name is Natalie Meza Contreras and I am one of the Managing Attorneys here at Mosley Associates.

The most common employment law issues are failure to pay wages and wrongful terminations. Now here in California, a wrongful termination also has to satisfy certain legal requirements in order for it to be legally actionable. For it to be a wrongful termination in public policy the underlying public policy needs to have been violated. So for example, if the employee was retaliated against after they asked for a reasonable accommodation for their disability that constitutes a wrongful termination in violation of public policy and that's also one of the other more common issues, uh, that I see in the workplaces here in California. The way we approached those as attorneys, we ask all the relevant questions about what their disability was—what they asked their employer and what was the outcome after they asked that question. With regards to wage and hour claims, we ask the client questions about how much they earned, how much they were supposed to earn, and then we figure out how much they would be owed for the time that they were not paid.

I stay current with changes in California employment law through my membership with the California Employment Lawyers Association. It's a plaintiff sidebar, which provides members up to date information on developing cases and also developments in employment and labor laws here in California. Additionally, one of my resources that I turned to, a lot, is the LA County Law Library. I am a proud member of the LA County Law Library and use the resources pretty much on a daily basis.

Client communication and collaboration starts from day one at the consultation phase, when a prospective client comes to our office and asks whether we can take on their matter or we if we can represent them as attorneys and their employment law matter. We asked them first and foremost for what documents they have, what evidence they have. So we can start looking at what kind of information is in the case, what kind of evidence there is in the case. An important part of informing the client about the process, is letting them know, just the different ways that a case can move. Sometimes a case can be resolved in pre litigation, before a case is even presented in court and sometimes it's during that litigation process, uh, even before it goes to trial. So, a big component of informing clients is not just telling them generally and broadly what the legal system in the courts looks like, but also how it is that their rights are being vindicated through this process and for them to be able to get a just outcome after they have been wronged.

Our fee structure depends on the type of matter that the client wishes to resolve. Attorneys here in California can bill in different ways. We can build on a contingency fee on a flat fee, meaning we charge a certain amount for a set number or a set type of services. We can also build by hour, as I mentioned every case is different, every matter is different. Generally for employment law matters, we charge a contingency fee, meaning we charge a percentage of the overall settlement as attorneys fees. Our fee structure, it's it kind of scales or escalates depending on when the matter is resolved.

So the way I like to tell clients is our general fee structure is, 40% of the overall recovery if the matter is resolved before the case is filed in court. 45% after the case is filed in court and before 90 days of the first scheduled trial date and 50% if the matter is resolved, within 90 days of trial . Now most cases actually don't make it to trial. A majority of the cases, if not, I don't have the specific statistic off the top of my head but I wanna say somewhere upward of 90% or more of cases do resolve way before their trial date. Here in California fees are negotiable with attorneys, clients or consumers. And so they have the ability to negotiate those fees, whether it's the contingency fee, the flat fee or the hourly fee. Our attorneys fees are separate and apart from costs. So costs in the case can also vary depending on the phase of the case. The earlier the case is, the less cost there are associated to the case. One, when the case gets filed in court, there are a lot more fees such as the filing of the case, service of process, taking depositions. court reporters, what we call E-discovery or electronic discovery. So those types of costs can really add up, the further you get into the case. Now those are the kind of, of general costs that you'll see in a case, and for the most part, attorneys will only make the charges necessary to get the client the best possible result. So you wouldn't spend cost of an expert on the case that doesn't require an expert that wouldn't be very judicious. But if the case really turns on expert testimony for a client to get a better outcome and that's a consideration we make and we discuss that with the client before taking on that type of cost.