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HOTLINE

Accident victim disputes legal bill

Lawyers take big chunk of payout

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IF HLANGA Nonjinge of the Eastern Cape was not good at maths he would have lost thousands of rands to his attorney.

He has waited since January for his lawyer from Norman Berger & Partners Inc to obtain a court date for his bill of account to be taxed, he said.

This would allow Nonjinge to tell the court that his attorney incorrectly charged him for services that were not rendered.

This has also caused him to miss the local elections because he had no money to go back home, he complained.

He said he was injured in an accident in 2004 and was hospitalised for two months.

While in hospital he was approached by an agent from Norman Berger & Partners with an offer of help, he said.

This law firm successfully lodged a claim with the Road Accident Fund on his behalf which ultimately compensated him in August last year.

He said the fund paid R13 500 into the trust account of his attorney.

The attorneys' fees of R4 316 were paid separately in December, added Nonjinge.

He was only invited to collect his compensation in January this year although it was paid long before then, said Nonjinge.

"I hitch-hiked from Eastern Cape to Gauteng to collect my money because I was looking forward to getting paid," he said.

On collection Nonjinge was issued a cheque of R2 160 as full and final payment, he said, showing Hotline his copy which was attached to an inaccurately calculated bill of cost.

"There is a glaring discrepancy between the amount payable to me and that of the attorneys," said Nonjinge.

Although the total disbursements due to the attorney is R3 686, payable by Nonjinge, his law firm debited a

large amount from his compensation, complained Nonjinge.

He returned his cheque to his attorney and demanded his full share of compensation, only to be turned away, he said.

"I cannot understand why this attorney wants me to contest this matter in court when it is clear that he has incorrectly calculated his cost," said Nonjinge.

Nornam Berger, Nonjinge's attorney, said it was procedural to have the bill of cost taxed.

"We have informed the client again and again of the procedure regarding the taxation and yet it seems he is not prepared to wait," he said.

Berger said Nonjinge has asked him to draw up another bill of account and the firm's cost consultant was busy preparing it.

He said when the bill is ready and they have a court date for the taxation, Nonjinge will be notified.

Berger conceded that the total disbursement amount payable by Nonjinge is R3 686.

"We stress that the client requested the taxation, that is a decision by the court and he must wait for that decision.

"We take it you will respect that the matter is proceeding to court and that you will advise Nonjinge that he must await the court decision on taxation," he concluded.