

**From:** [Amber Hoch](#)  
**To:** [RulesCommittee](#)  
**Cc:** [Gary Schlesinger](#)  
**Subject:** Proposal 22-03  
**Date:** Tuesday, September 27, 2022 4:25:10 PM

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I am writing in opposition to Rule 22-03. This Rule adds the concept called affordability which is not defined. I only practice family law and family law cases can take a considerable amount of time or they can be resolved quickly. It is up to the client to determine whether or not they can afford that attorney.

I disagree with the Illinois Supreme Court decision regarding Luis Kutner. Mr. Kutner consulted with a client who had been charged with a misdemeanor offense. He told them that if he was hired, his fee would be \$5,000.00 to which the client responded they could not afford that amount. The client came back to Mr. Kutner and said that he was the lawyer they wanted to hire. The client paid the fee and Mr. Kutner represented him and ultimately was able to have the case dismissed. After representation ended, the client filed a complaint alleging that Mr. Kutner had overcharged them. Mr. Kutner was disciplined for overcharging the client even though the client decided to hire Mr. Kutner after learning what the fee for representation would be.

Thank You,  
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