

If you're pursuing a personal injury claim in Louisiana, understanding how case costs and attorney fees are deducted from your settlement or judgment is essential. This question—whether case costs come out **before or after the lawyer fee**—can have a significant impact on your recovery amount and how you evaluate your settlement.

In this article, we'll explain how Louisiana handles these deductions, how recent law changes affect your case, and how to properly vet a Lafayette injury lawyer beyond flashy billboards. We'll also mention reputable firms like **Brandt & Sherman, LLP**, **Broussard, David & Moroux**, and **Laborde Earles Injury Lawyers** to help you find trusted legal support.

The Basics: What Are Case Costs and Lawyer Fees?

When you hire a personal injury lawyer on a contingency fee basis, the lawyer's payment is typically a percentage of your recovery—often around 33% to 40%. But before the lawyer's cut, there are *case costs* that lawyers front or advance during your case:

- **Filing fees:** Court costs to file your lawsuit.
- **Expert witness costs:** Fees paid to medical experts, accident reconstruction specialists, or other professionals who testify on your behalf.
- **Medical record retrieval and deposition expenses.**
- **Other miscellaneous out-of-pocket costs:** Investigations, courier fees, etc.

These costs can add up quickly, sometimes reaching thousands of dollars.

Do Case Costs Come Out Before or After the Lawyer Fee?

In Louisiana, the general practice—especially among established firms like **Brandt & Sherman, LLP** and **Broussard, David & Moroux**—is that **case costs are deducted BEFORE the contingency fee percentage is applied**. This method means the lawyer's percentage is calculated on the net recovery after costs have been subtracted.

Example: Suppose you settle for \$100,000. Case costs totaled \$10,000. The lawyer's contingency fee is 33%. The calculation would be:

1. $\$100,000 - \$10,000$ (case costs) = $\$90,000$.
2. 33% of $\$90,000$ = $\$29,700$ (lawyer's fee).
3. You receive: $\$90,000 - \$29,700$ = $\$60,300$.

This approach ensures you aren't paying attorney fees on money spent advancing the costs of your case. Transparent firms will clearly explain this at your consultation—so be sure to **write down the answer** to this question when you meet any lawyer.

Why This Matters: The Two-Year Prescription Change Effective July 1, 2024

Louisiana's personal injury claims face a **two-year prescription deadline** starting July 1, 2024. This means plaintiffs have two years from the date of injury—or the discovery of an injury—to file suit. This change shortens

the prescription period from the previous three years and affects how quickly you need to act.

Because of this shortened window, it's even more critical to hire a lawyer who understands nuanced deadlines and can advance case costs immediately. Knowing when case costs come out relative to fees helps you estimate your realistic recovery and budget for expenses.



Upcoming Law Changes: The 51% Fault Bar and Medical Expense Rules

Effective January 1, 2026, Louisiana will introduce the **51% fault bar** rule. This change bars recovery if your fault exceeds 51%, shifting Louisiana closer to comparative fault systems in other states. It's crucial for attorneys to analyze fault percentages early to determine case viability.

Additionally, for suits filed on or after January 1, 2026, paid versus billed medical expenses will be deducted differently. Instead of reducing damages by all billed medical charges, only the amounts actually paid will be considered, potentially increasing a plaintiff's net recovery.

If you are consulting firms such as **Laborde Earles Injury Lawyers**, ask specifically how they plan to handle these changes in your case, including how costs and fees interplay with these new rules.

How to Vet a Lafayette Injury Lawyer Beyond Billboards and Logo Size

Many injury lawyers in Lafayette advertise heavily using billboards or internet ads. However, flashy marketing isn't a substitute for expertise. Here are key tips to vet your lawyer carefully:



- **Check Google Search rankings and local map results:** Look beyond the first few ads or images to see who appears organically. Beware firms that dominate only by paid ads but have minimal client reviews or low-quality websites.
- **Review Google Business Profile reviews:** Consistent, detailed client feedback over years shows reliability. Avoid firms that rely on a handful of generic five-star reviews.
- **Examine their website content carefully:** Does the site explain your state's injury laws and recent changes like the 2-year prescription or the 51% fault bar? Or is it filled with vague, fluffy promises about "maximum compensation" without legal context?
- **Ask about case cost and lawyer fee structure upfront:** A professional firm like **Broussard, David & Moroux** will provide clear written answers. Always *write down* fee explanations during your consult.
- **Verify how they handle expert witness costs and filing fees:** Do they advance these costs or expect upfront payment? How does that affect any recovery you get?

Summary Table: How Case Costs and Lawyer Fees Are Typically Handled in Louisiana Personal Injury Cases

Item Description	Deducted Before or After Contingency Fee?	Expert Witness Costs	Fees paid to medical or accident experts testifying for your case
Yes	Before contingency fee	Filing Fees	Court costs to file the lawsuit
Yes	Before contingency fee	Other Case Costs	Medical record retrieval, depositions, investigations
Yes	Before contingency fee	Lawyer's Contingency Fee	Percentage of recovery negotiated with client (often 33%)
No (it's the final deduction)	N/A		

Final Thoughts

Understanding whether case costs come out **before or after the lawyer fee** in Louisiana is crucial for realistic expectations and smart decision-making. Generally, case costs—like expert witness fees and filing fees—are deducted before applying the contingency fee. This practice ensures you're not paying attorney fees on expenses your lawyer advanced.

Don't settle for generic [leaders-in-law.com](https://www.leaders-in-law.com) or flashy law ads. Use tools like Google Search's top 30 results and local maps to research your options. Firms like **Brandt & Sherman, LLP**, **Broussard, David & Moroux**, and **Laborde**

Earles Injury Lawyers stand out by offering transparency and current legal knowledge—especially about the two-year prescription change effective July 1, 2024, and the 51% fault bar coming in 2026.

Don't wait to get started. When you consult with any Lafayette injury lawyer, **write down their exact explanations of fees and costs**. This small step can save frustration and confusion later, ensuring you know exactly how your recovery will be paid out.