

**Expert Witness Retainer Contract for Educational Due Process Hearing**

**Names of Parent(s)** hereby retain *Margaret J. Kay, Ed.D. NCSP, DABPS* and *Loura S. Keepers, JD, MA, NCSP* to provide *in person* expert witness testimony at the educational due process hearing for **Name of Student** on **Date of Hearing** at **Time of Hearing** at **Location of Hearing**. **Names of Parent(s)** agree to be responsible for payment of all professional service fees accrued in connection with the provision of expert witness testimony at the hearing in accordance with the following scale:

- Hearing preparation & Travel Time .....\$150/hour
- Expert witness testimony time block.....\$300/hour
- Mileage to and from the hearing.....58.5 cents per mile
- Reimbursement for expenses .....Actual costs incurred

A retainer for one day in the amount of **\$4000.00** will be paid by **Names of Parent(s)** **immediately upon receipt of this contract** to secure the date for testimony.

**FEE AGREEMENT**

If the hearing cancels or is continued and one week’s notice of cancellation is provided to Dr. Kay, the full amount of the retainer minus time spent for preparation will be refunded. If the hearing cancels or is continued and Dr. Kay receives more than 24 hours but less than one week’s notice of cancellation, half the amount of the retainer minus time spent for preparation will be refunded. If the hearing cancels or is continued and less than 24 hours notice of cancellation is provided to Dr. Kay, the full amount of the retainer will be forfeited.

*The undersigned understands and agrees that the retainer is paid to secure the date for expert witness testimony. Actual charges will be calculated at the rates outlined above. Any charges accrued over and above the cost of the retainer will be billed at the rates outlined above and full payment will be due no more than 15 days after the date of the hearing. If payment for the balance of the cost of expert witness testimony is not received promptly within 15 days after the date of the hearing, finance charges will apply. If actual charges accrued are less than the retainer secured, a refund will be sent no more than 15 days after the date of the hearing.*

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_