



# Department of Justice

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FOR IMMEDIATE RELEASE  
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**JUSTICE DEPARTMENT DECLINES TO CLEAR CHICAGO AREA BAR ASSOCIATION  
PROPOSAL TO CONDUCT SURVEY ABOUT CLIENT CHARGES**

WASHINGTON, D.C. -- The Department of Justice's Antitrust Division declined to clear a Chicago area bar association's proposal to conduct a survey as to what lawyers and firms of the association charge their clients.

The proposal failed to provide sufficient information to alleviate antitrust concerns and protect against possible anticompetitive behavior, the Department said.

The South Suburban Bar Association, which represents about 250 lawyers practicing in an area south of Chicago in southern Cook and northern Will counties, submitted a business review letter asking what the Division's enforcement intention would be if the association conducted a survey of its members' rates and fees in 15 areas of law.

Assistant Attorney General Anne K. Bingaman, in charge of the Antitrust Division, said the proposed survey was described insufficiently to alleviate Department concerns that it could not be used by the association's members to agree on various fees or billing rates, or to assess the current disparity among fees or

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billing rates and the difficulty of entering into or maintaining any collusive agreements.

The Department's position was stated in a business review letter from Bingaman to the association's president.

The letter said the association failed to propose safeguards to protect against the possibility of anticompetitive behavior, including keeping the survey responses anonymous or ensuring that some association members would not have access to data submitted by other association members.

Under the Department's business review procedure, a person or organization may submit a proposed course of action to the Antitrust Division and receive a statement as to whether the Division will challenge the activity under the antitrust laws.

A file containing the business review request and the Department's response will be made available in the Legal Procedure Unit of the Antitrust Division, Room 3235, Department of Justice, Washington, D.C. 20530. After a 30-day waiting period, the documents supporting the business review request will be added to the file.

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