

Michigan Court of Appeals Upholds Block Billing – If Entries Are Adequately Detailed

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The practice of block billing, assigning a one-time entry for multiple tasks, is generally forbidden by law firm clients. The Michigan Court of Appeals, however, recently upheld the use of block billing as applied to the award of attorney fees so long as the time entries are “adequately detailed.”

[Lakeside Retreats LLC v. Camp No Counselors LLC](#), __ Mich. App. __ (2022), involved a largely contractual dispute. The defendants were defaulted, and part of the litigation involved the plaintiff’s request for an award of attorney fees based on a provision in the parties’ contract.

In challenging the award of attorney fees, the defendants objected to, among other things, the use of block billing by the plaintiff’s attorney. They argued that the plaintiff’s invoices “failed to permit a proper calculation of the amount of hours expended” because of the block billing.

The Michigan Court of Appeals disagreed. According to the court, other courts had criticized the use of block billing in the past and reduced attorney fee awards because the entries were vague and too general in nature, making it difficult to assess what was done and whether it was reasonable. But the court felt that was not a reason to reject block billing outright.

The court instead found there was nothing inherently wrong about block billing, but added an important qualification that block billing was acceptable “so long as the entries within the blocks are themselves adequately detailed.” In other words, the court did not “find anything intrinsically vague about block billing; so long as the block billing entries are sufficiently detailed to permit an analysis of what tasks were performed, the relevance of those tasks to the litigation, and whether the amount of time expended on those tasks was reasonable.”

This, of course, does not mean that the practice of block billing should be used for all clients. Clients have, for good reason, determined that block billing is not the best way for them to analyze the work that was done and is not the best business practice. But at least the Michigan Court of Appeals has recognized that block billing can be appropriate if it’s done the right way.

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