

HOW TO HIRE A LAWYER

By Kim Douglas Sherman, Esq.

If you want to get the most lawyering for your money, read on. Your first step should be to identify your problem and legal needs. Do you need a will? Does someone owe you money? Maybe the company you hired will not finish the job? Make a list of your questions and prepare to get some answers.

You should be looking for a lawyer with local knowledge, who knows the judges, experts, and the way it gets done where you need it done. Your best source of referrals is your friends or business associates—people whose opinions you trust. Check with the county bar association for a professional referral network. If all else fails look in the telephone directory under the area of specialty that you need.

When you call the lawyer for an appointment, you should feel welcomed. Ask if there will be an initial consultation fee. When you meet with the lawyer ask him or her to tell you what are their qualifications to do your job. Read the lawyer your list of questions and ask for answers. Ask the lawyer to evaluate your position. What is the downside risk and maximum cost? If you win what is the chance of getting paid? Ask the lawyer to be candid—is it worth hiring him or her? You may want to ask the lawyer to put his or her opinions into writing.

When it is time to talk about legal fees make sure that you know all the terms and add some important ones of your own. Make sure the agreement is in writing and that you have received a copy. Ask if the lawyer will put a “cap” upon the fee or set a fixed fee. If the charges are on a time basis, ask what the minimum billing time unit will be—will the charges be by the tenth of the hour or greater? Make sure that you know which lawyer will be performing your work. Have the lawyer commit to give you copies of all documents received and sent out regarding your case. Tell the lawyer that you will not tolerate churning, that is billing for lawyers in the same firm to talk to each other or their para-legals about your case. Insist that you want regular billing on a monthly basis that specifies the services rendered and the specific time charged for each service.

Get one last promise from your new lawyer. Make him or her promise to call you back within the same day that you call or before the end of the very next day. Now you have a firm basis upon which to build a satisfactory relationship with your lawyer.

GOOD LUCK!