

How to Select a Lawyer

When you're looking for a lawyer, you'll want to:

- **Learn about your legal problem.** Search the Internet for FAQs,.
- **Search the web.** Look in at least the following places:
 - **lawyers.com's [Find a Lawyer](#) attorney directory.** Search for lawyers in your city and state in the area of practice in which you need a lawyer (divorce, employment, and so forth).
 - General search engines, using key words describing your legal problem and your location, such as "non-compete attorneys Cleveland Ohio."
 - Attorney organizations, such as the national organizations for lawyers who specialize in the type of law you're interested in, as well as local attorney organizations such as your state or city bar associations. If you cannot find your city or state's Bar Association web site, look in your local telephone directory and call. Almost every bar association has an attorney referral service.

- **Call your local attorney referral service**, typically provided by your state or city bar association
- Consult with your family lawyer, an attorney who you know through sports or church, or an accountant, realtor or other professional. Many attorneys tend to specialize, and the good ones usually have an established reputation throughout the community.

Once you have a list of names, use the following checklist for an initial screen, so that you **narrow your choices** down to three or four:

- Look at biographical information, including whatever you can find on Web sites for the lawyers and their law firms. Do they appear to have expertise in the area of law that you need? Do they have any information on their Web sites that is helpful to you?
- Find out what kind of clients the attorney represents, from the lawyer's profile and her client list, if she makes it available. If she primarily represents companies, she may not represent individuals. If you can't tell, call the lawyer's office and find out.
- Use search engines to search for the name of the lawyer and his law firm. Can you find any articles, FAQ's or other informational pieces

that the lawyer has done? Cross check your references by searching with key words having to do with the area of law you're interested in (such as "child support").

- Ask other people if they have heard of the attorneys and what they think about them.
- You will probably want to hire a lawyer with at least a few years of experience.
- Contact your state bar association or visit their Web site to find out if the lawyer is in good standing.
- Check out the yellow pages of your telephone directory. Does the lawyer advertise? If so, do you find it compelling? Helpful? Tasteful?
- Check out the online archives of your local newspaper. Has there been any publicity about the lawyer or the cases that he or she has handled?

Consider any special needs you have. For example, could you benefit from an attorney who speaks a language other than English?

By now you should have a "short list" of two or three names. Contact the attorney's firm and ask to **schedule a consultation**. Some firms will charge a consultation to meet with you, so expect to pay anywhere from \$75.00 to \$250.00 for an initial consultation.

Don't be surprised if the attorney cannot meet with you on short notice. On the other hand, a wait of more than a week is a sign that the attorney may be too busy to give a new case such as your's the time and attention it requires.

The consultation with the lawyer **is the most important factor** in your decision to hire an attorney. Evaluate the attorney based on the following:

- Does she listen well?
- Does he understand your problem or will he have to do research to answer your questions?
- Can she explain the law in an understandable way and how it applies to your case?
- Does he give you confidence that he can solve your legal problem in a cost-effective way?
- Expect that whomever you hire will delegate a lot of responsibility to his or her staff. So you'll want to **evaluate how the lawyer's staff treats** you, since they are a reflection of how the lawyer practices. At a minimum, both the lawyer and his staff should treat you courteously and professionally.
- Ask about conflicts of interest. Does the lawyer represent your employer or other interested party?
- **Ask for references.** You should talk to people who could comment on the lawyer's skills and

trustworthiness. The best reference is one of the lawyer's current or former clients. You can also check with other lawyers.

- Ask for a copy of a firm brochure and promotional materials. Crosscheck these materials against other sources and references.

Money Matters

Ask for a copy of the lawyer's retainer agreement and review it with the lawyer beforehand. Generally speaking, attorneys will charge for their services in one or more of the following ways:

- By the hour
- With a non-refundable fee retainer of as much as \$5,000 or more
- On a contingency fee basis, where you pay the attorney from 25% to 40% of what he collects in a settlement, or as much as 50% of a judgment if the case goes to arbitration or trial

Paying by the hour is the fairest arrangement for both the attorney and the client, since a contingency fee always benefits one side or the other. But most individuals cannot afford the \$30,000 to \$50,000 in attorney time that even a moderately difficult matter requires for preparation

and trial. So a contingency fee is often the only alternative.

You'll want to ask if the firm **requires an initial retainer**. Even if the firm charges on an hourly basis, the attorney may require an initial retainer of as much as several thousand dollars, as security for payment of the firm's fees before they begin your representation. This money should go into the attorney's trust fund and be disbursed only to pay for services actually rendered. If the representation ends before the retainer is billed, the attorney should return the balance to the client.

Some firms will charge a non-refundable fee retainer. We can think of few situations where it's appropriate for a lawyer to do so, however. One case may be where the attorney agrees to accept the case on a contingency fee basis from the outset, but requires some cash compensation to offset the risk of accepting a case without fully evaluating it beforehand.

Discuss the costs of your suit as well as the attorney's fees. Costs include:

- Payments for court reporters
- Copying
- Computerized research
- Trial exhibits
- Expert witness fees

Few attorneys will "front" or cover costs for the client. So find out what the costs will be and make arrangements from the outset for setting aside funds to cover them.

Finally, **use your common sense** and gut instincts in deciding who to hire. Your relationship can last several years and will involve a good working relationship and trust. You want to choose the best lawyer who you think will do the best job for you.

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