



FINDING A LAWYER

WHEN DO I NEED A LAWYER?

This really depends on your situation. Don't just think about seeing an attorney after something happens. Try to anticipate problems. Generally, you should think about talking to a lawyer about such events as:

- Planning to leave your property and/or assets to your family upon your death.
- Serious accidents.
- Deaths,
- Marriage, divorce or adoptions.
- Changes in your finances.
- Buying, selling or leasing real estate or personal property.
- Business transactions.
- Civil or criminal lawsuits.
- Appearances, applications or appeals to government agencies or boards (zoning, variance, subdivisions)
- Planning for incapacity due to illness, mental disease, or impending surgery of yourself or loved one.
- Entering into a contract for substantial home improvements.
- Leaving an employment position.

WHEN I GET A LAWYER, WHAT CAN I EXPECT?

In most cases, lawyers follow a careful step-by-step process that may include:

- Conferring with you, the client, to pinpoint the problem.
- Gathering and analyzing all available facts and information.
- Interviewing everyone involved in the case.
- Recommending what you should or should not do, possibly writing letters, drafting legal documents.

If it is a court matter:

- Preparing legal arguments for presentation in court.
- Negotiating a settlement if both sides can reach agreement.
- Presenting your side of the case and your witnesses in court.
- Appealing the court's decision if your case is rejected.

HOW SHOULD I CHOOSE A LAWYER?

It might be unwise to choose a lawyer purely on a dollar basis. Here are some sound ways to find someone to represent you:

- Talk to an attorney who has represented you in the past. Even if your lawyer does not handle this type of case, he or she may be able to recommend an attorney who does, and would be able to contribute his or her detailed knowledge of your problem. If you are moving, he or she can often recommend a legal advisor near your new home.
- Talk to friends who have been to a lawyer. People who are happy with their attorney are often good references. Lawyers depend on good client relations and word-of-mouth referrals for new business.
- Call your county bar association's Lawyer Referral Service. You can arrange for an initial legal consultation at a modest cost through this service.
- Consult a law directory, such as Martindale-Hubbell, which should be available at your local library.
- Scan legal websites.

HOW DO I ENSURE A GOOD LAWYER-CLIENT RELATIONSHIP?

Remember, good legal assistance is not a one-way street. You have to cooperate with your lawyer if you really want to be helped. The attorney-client relationship is privileged and confidential, so don't hesitate to take your lawyer into your confidence. Here are some important tips to follow:



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- Don't withhold information from your lawyer.
- Give him or her an objective statement of all the facts.
- Don't look for simple, quick answers to complex question. Lawyers are justifiably cautious in drawing conclusions or answering questions about complicated legal problems. They know that cases are rarely "open and shut."
- Let your attorney know about any new developments in your case.
- Don't hesitate to ask questions about any matter relevant to your case. Remember, though, lawyers are not doctors, psychiatrists, marriage counselors or financial advisers.
- Work with your attorney. If you don't understand why something should be done or have doubts about some action your lawyer recommends, ask questions and get an explanation.
- Be patient—don't look for instant results. Trust your lawyer to follow through on the case, but don't hesitate to ask for progress reports from time to time. You always have a right to know what your lawyer is doing for you.
- Don't fall into the trap of expecting the same result on your case as obtained by a friend or neighbor in their case; no two cases are alike.

WHAT ABOUT LEGAL FEES?

The time, study, experience and attention your attorney gives your problem all influence the legal fees. A lawyer invests thousands of dollars on such things as education, staff, books and journals, rent and insurance. Consequently, a lawyer must set a charge for his or her service that is both reasonable and adequate to cover his or her own investment.

Because no two legal matters are exactly the same, fees vary widely. Some factors involved are:

- The amount of time and labor spent on your problem. To a lawyer, time is money. Your lawyer should keep very careful records of the time he or she and the lawyer's staff spend on your case. This varies according to the amount of experience, training and the workload of the attorney.
- Ability, experience and reputation also are important factors in determining a lawyer's fee. If the attorney is well known as a leader in his or her field, the fee

probably will be higher. Professionals do not work on a bid basis, so the cheapest lawyer may not be the best one to help you.

- The results obtained often are considered in setting the fee. Of course, unless a lawyer takes your case on a contingent arrangement, no fee is collected if a case is lost. The client still must pay out-of-pocket costs such as investigators fees, postage/phone/delivery costs, medical and hospital report costs, court filing fees and witness fees.
- Office overhead also is a factor in setting fees. Remember that when you hire an attorney, you also hire his or her entire staff—secretaries, investigators and other employees. Usually, approximately 50 percent of the fee helps to pay for overhead.

In most arrangements an attorney must explain the basis for the fee arrangement in writing with a retainer agreement. A retainer is required before an attorney starts work and you may need to replenish it as more work is done.

At times, a lawyer may not be able to set a fee in advance because it isn't possible to tell beforehand how much work your case entails. However, you usually can get a fair estimate of the costs from your lawyer, so don't ever hesitate to talk about fees. It's a good idea to talk about the fee on your first visit. Be frank and specific about the costs. If you can afford to spend a certain amount of money, make sure you tell the lawyer. Getting answers early will prevent unfortunate misunderstandings later.

WHERE ELSE CAN I GO FOR HELP?

If a private attorney cannot represent you in a matter, he or she may be able to help by referring you to an appropriate public agency, such as Legal Services or the Public Defender in your county.



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