

HOW TO PICK AN ATTORNEY

Years & Money Isn't All There is to Selecting an Attorney

From my perspective as an attorney of many years experience and being a landlord of attorneys' offices and having picked attorneys in other states and areas, I believe that some of the best advice I can give is this:

Sure experience is important, but usually 5 years is enough to know procedurally which forms to use and which court to file in (probate, criminal, civil, juvenile, administrative, federal etc.)

What takes decades sometimes to learn is which of the various and sometimes many different legal actions which could be done are least expensive, fastest and easiest to pursue. Then, after decades of experience learning fastest, easiest and cheapest, an attorney finally starts learning how to match all of that to the client's likely needs.

So, look for substantial experience obtaining exactly what your goals are. Of course, that requires YOU to know exactly what your goals are. Punishing or hurting another are not valid or ethical legal goals.

Cheaper isn't really cheaper because a more experienced attorney can accomplish far more for not much more in hourly rate than an inexperienced attorney. Correctly diagnosing an illness or a legal problem drastically reduces the cost. Example, a "paralegal" gave bum advice to a window and tried to practice law without a license filling out forms resulting in the window NOT having the authority to sell their home without lengthy delay and expensive attorney fees. Result, lost buyer who wouldn't wait while other deals came the buyer's way. Still, the paralegal demanded pay when no one is to be paid without court OK! Customary attorney fees run from about \$250 to \$450 per hour and even higher for a very experienced attorney in say securities litigation. Mid \$300s is common.

Big firms, fancy offices, expensive cities may be more expensive, but maybe not if they are experienced. Integrity is very important. If you can't understand what you are being told, you need to find an attorney who you can understand. It's your case and your future.

More specifically:

-don't use a bar association referral service, unless you have to, as they usually just have a rolodex and a receptionist that gives you the next name;

+be talkative about the facts with an attorney so he/she can determine what area of law is truly your need and whether you are looking in the right area;

+ask the attorney whether he/she is experienced in the particular area you are concerned with;

+be organized with: a written/typed chronology; a loose-leaf notebook of documents or some chronologically organized documents (don't punch holes and **DON'T UNSTAPLE** documents as that can destroy their reliability as the originals!)

-Big advertisements cost big money and result in big retainers. However, some detail in the adds is important.

+hire attorneys who are in the same county or within 30 minutes of the courthouse to save fees for commuting time;

-fire an attorney who doesn't return calls within a day or two;

+insist on written retainer agreements no matter how short;

+private (non bar association) referral services often have made detailed reviews of attorneys, and can better select one in your subject;

+ask if the attorney has malpractice insurance;

-I think it's silly to rely on recommendations from non-attorneys about an attorney's work as laymen simply do not know the intricacies of what an attorney does to be able to judge the quality of his work. I have often heard my client explaining to others how we won or what we did in a court room and be totally wrong;

-shy away from a bragging attorney as it leaves the impression that your case will work out that well, when each case is different.

+!the safest way is to get a recommendation from the current or former chairperson of the bar association section which deals with your subject area, but it is usually hard for even an attorney to learn who that is in another area. CAVEAT- I and many of my very experienced friends don't have time to be involved in these committees;

+you can hire an attorney to find an attorney for you in a particular location or subject;

Summary:

- √ know your goals;
- √ ask for referrals from non-bar association lists like Legal Shield;
- √ look in suburbs, small firms or experienced solo practitioners within ½ hour from the court house;
- √ bring all your papers organized chronologically without holes punched and don't un-staple them;
- √ ask if the attorney has malpractice insurance;
- √ give a lot of detail & don't hide facts;
- √ insist on a written retainer contract;
- √ insist on return calls within 24 hours.