



Five Things to Know Before Hiring a Personal or Business Lawyer

By John W. Heck, Personal Family Lawyer®

Before hiring a personal or business lawyer to guide you, your family or your business, ask these five questions to ensure that you don't end up paying a whole lot of money for services that are not what you need, expect or want. Hiring an attorney does not have to be a fearful experience. Instead, it can be the most empowered decision you ever make for yourself.

1. How do you bill for your services?

There is no need to be afraid to talk with your lawyer about how he/she bills for the work they will do on your behalf. In fact, when you first call a lawyer's office, this is one of the very first questions you should ask. No one wants surprises!

If when you call the attorney's office, they will not give you any information about how they charge for their services or any expectation of what things will cost, beware you could be in for some big surprises about what things cost down the road.

Look for a lawyer who bills all of their services on a flat-fee, project basis and never on an hourly basis, unless required to by the Court for limited purposes. In every event, be sure the lawyer you choose promises to never send you an unexpected bill in the mail for quick phone calls or emails.

2. How are you able to be responsive to my needs on an ongoing basis?

One of the biggest complaints people have about working with a lawyer is that lawyers are notorious for not being responsive. In fact, I've heard of situations in which clients have gone weeks without getting a call back from their lawyer.

This generally happens when a lawyer does not have enough administrative support in his or her office. Far too many lawyers believe they can take care of everything in and around their office themselves, from paperwork to client meetings to calendaring to returning phone calls to connecting with their client's other advisors, the list goes on and on. Truth is, a lawyer who is a true solo practitioner without administrative support or in a firm without adequate support will become overwhelmed and non-responsive to your needs.

You can and should ask your lawyer how he or she will respond to your ongoing needs, how quickly calls are returned in the office, if there is someone on hand to answer quick questions and if you should expect to get right through to your lawyer when you call the office.

A great way to test this is to call your prospective lawyer's office and ask for him or her. If you get put right through or even worse sent to a voicemail, think twice about hiring this lawyer because it means they do not have effective systems in place for managing and responding to calls or answering your quick questions. Instead, what you want is for the person answering the phone or another team member to offer to help you and if he or she cannot then to schedule a call for you to talk with your lawyer at a future date and time when he or she will be ready to focus on your matter.

Your lawyer cannot be effective and efficient if he or she is taking every call that comes through to him or her – all calls should be pre-scheduled when you are both ready and your lawyer can focus on your specific needs.

3. How will you proactively communicate with me on an ongoing basis?

Unfortunately, most lawyers do a horrible job of proactively communicating with their clients on an ongoing basis. The general thinking in the legal industry is that legal work is transactional in nature and clients will call when something changes. But, this is faulty thinking and in my opinion just pure laziness on the part of lawyers.

You want to look for a lawyer who will proactively communicate with you at least quarterly by mail via an informative, easy to read newsletter and monthly by email. I prefer to hear from the professionals I work with monthly by mail and weekly by email, but progress can only happen so fast.

If you are considering hiring a lawyer who does not proactively communicate with his or her clients, think again. This lawyer might be stuck in an old, outdated mindset that won't serve your needs in the best possible way.

4. Can I call about any legal problem I have or just about matters within your specialty?

In today's complex world, lawyers must have specialized training in one or more specific practice areas, such as divorce, bankruptcy, wills & trusts, estates, personal injury, business, criminal matters or employment. You definitely do NOT want to be working with a lawyer who professes to be an expert in whatever walks through the door. However, you do want your personal lawyer and/or business lawyer to have a broad

enough expertise that you can consult with your lawyer on all sorts of legal or financial issues that come up in your life and he or she will be able to guide you right.

Trust me, you probably don't want the lawyer who designed your estate plan to also handle your personal injury claim, your dispute with your landlord and advise you on your divorce, but you do want him or her to be there to hear your story, find you the exact right lawyer and be available as a consultant to you. That way, you can call your personal lawyer before signing legal documents (even loan documents), any time you have a legal or financial issue, or whenever anything that could affect your family or business adversely comes up and know you'll get great guidance.

Look for a lawyer who has an ongoing service program or membership program in place so that you can pay a low monthly fee and be able to call with all of your legal and financial questions without being charged hourly for the consultation. And be sure that when you call, you'll get to schedule time to talk with your own personal lawyer who you know and trust and not get passed off to one of any number of lawyers who happen to work in the office and may not know who you are or what's important to you.

5. What happens if you die or retire?

This is a critically important question to ask any service professional when beginning a relationship and a question that is far too often overlooked. Sure, it may feel uncomfortable to ask, but a truly excellent, client-centered service provider will have in place a plan to ensure their clients are taken care of no matter what happens to the lawyer in the future.

Answers you want to look for here are that your lawyer has a clear plan in place for someone warm and caring to take over your matter without providing any interruption of service to you. If your lawyer prepared a Will, Trust and other estate planning documents for you, or you are in the middle of a divorce or lawsuit, you want to ensure your lawyer has a plan in place so you won't need to start everything over from scratch. And, if you are on a membership program with your lawyer, you'll want to make sure he or she has a relationship with a lawyer or network of lawyers who can continue to service you under that program.

When you ask these five questions before hiring a lawyer for any type of legal matter, you will know you are engaging a trusted advisor who will help you to make the very best decisions for you, your family and your business.