

## How long will it take to solve my legal problem?

Below are some questions that may aid you in your discussions with the lawyer as you seek to determine the length of time expected to solve your legal problem.

- Again, ask the lawyer how long it has taken him/her to bring cases similar to yours to a conclusion in the past.
- Ask if your case involves issues more complex than his/her previous cases and whether or not that will affect the expected time to bring this case to a conclusion.
- Ask if there are any legal time limitations which restrict the length of time you have to bring an action. If there is no way to predict how long this matter might take, what are the reasons for that? Ask if there is anything you can do to speed up the process.

## What results can I expect? What do you expect to accomplish?

Ask the lawyer to explain the law as it relates to your case and the effect which existing laws may have on your case. It is extremely important that both the client and lawyer fully understand each other with regard to the results expected. This should play a big part in determining whether or not the cost and the time involved in pursuing the matter are worth what is expected as a result.

## The Expectation of the Client and the Lawyer

The lawyer and client should agree on what expectations that each have, such as settlement, mediation or trial, and how the lawyer will try to obtain those expectations. The client has a right to expect a status report of the case.



*This pamphlet was prepared by the Communications Committee of the State Bar of Georgia as a public service. It is not intended to be a comprehensive statement of law. Its purpose is to inform, not to advise on any particular legal problem. If you have specific questions regarding any matter contained in this pamphlet, you are encouraged to consult a lawyer.*

## How to Choose a Lawyer



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Consumer Pamphlet Series

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*There comes a time in nearly everyone's life where the services of a lawyer are required. To help in this process, this pamphlet was prepared by the State Bar of Georgia to aid and assist individuals and businesses in choosing a lawyer.*

## Identifying a Legal Problem

The best to determine whether you have a legal problem or need legal assistance is to speak with a lawyer. You should be aware that in the metropolitan area, many lawyers' practices may be limited to certain areas of the law. Today, finding a general practitioner is rare unless you are living in a rural county.

## Choosing a Lawyer

The following is a list of suggestions that might help you as you seek to choose a lawyer to speak with about your potential legal problem:

- Ask friends, teachers, employer, co-workers, minister, relatives, neighbors or anyone you trust which lawyer(s) they have used and if they did a good job.
- Many online resources are available for selecting a lawyer in your geographic area and in the area of expertise you need.
- Contact your local bar association. The State Bar of Georgia does not refer individual lawyers but some local bars do offer a referral service. Most local bar associations have a presence on the Internet or in your local phone book.
- Go to your local public library and ask for the Martindale-Hubbell Law Directory. It lists most lawyers and their area of practice within your community, the state of Georgia and the United States.
- Ask other lawyers for referrals in areas in which they do not practice.
- If you are experiencing financial difficulties and are concerned that you cannot afford a lawyer, call your local legal aid or public defender's office to see if you qualify for representation.

## Fees/Costs and Initial Consultation

Once you have decided which lawyer to call, you should ask the lawyer whether he/she charges a fee for the initial consultation (first visit), and if so, how much. Please understand that depending on the practice area, a lawyer



may charge a reasonable fee for a consultation. Whether a lawyer will charge a fee for the consultation varies based on practice area and the amount of time spent with a potential client during the initial consultation. If you decide after the first meeting that you want to hire the lawyer to represent you in the legal matter, you may ask for an estimated cost for services. Many lawyers will enter into a written agreement listing the fees, costs and the nature and extent of the lawyer's representation. Costs are different from fees and in civil cases include such items as filing fees, costs for a sheriff or process server to serve process in your case, copies and mediator fees. Always remember that the client is ultimately responsible for court costs, filing fees, etc.

The first time that you meet with a lawyer, you should be prepared to discuss and ask questions in regards to the facts of the potential legal problem that brings you to the lawyer's office. The questions below are ideas for a potential client to ask the lawyer.

### Based on my situation, do I have a legal problem?

Make sure you fully explain your situation to your lawyer. Bring any papers or documents you think may help explain the story to the initial consultation. Make sure your lawyer covers both practical solutions to the problems as well as options available under the law. Do not try to convince the lawyer of the merits of your position by exaggerating the facts. If you know, make sure you tell the lawyer the position taken by the potential adverse party.

Be sure to tell the lawyer the complete truth so that he or she can best advise you.

Are you the lawyer who can help me? Is this something you routinely handle? If not, can you refer me to someone who does?

It is important to discuss with the lawyer how much experience he/she has in dealing with cases similar to yours. If the lawyer doubts his or her competence to handle the matter then be sure to ask for a referral to other lawyers who are familiar with cases such as yours. Also ask about the outcome of the other cases that the lawyer has handled, as well as whether or not the anticipated fees and costs that you have been quoted by the lawyer is in line with the fees and costs charged in the other cases.

### How much will this cost?

The lawyer should be able to give you some idea of the legal fees as well as costs (expenses for the action) associated with the legal matter for which he/she is agreeing to represent you. Whether you, as the client, will be charged on an hourly basis or a contingent fee basis, the reason for the fee should be fully explained to you. Before actually agreeing that the lawyer will represent you, feel free to get an explanation of the fee in writing from the lawyer and signed by both of you. See the definitions below for fees.

- **Retainer fee.** Advance payment to the lawyer for a portion of his or her fee.
- **Fee.** An agreed-upon percentage of any monies obtained through settlement, trial or negotiation.
- **Hourly fee.** The lawyer's hourly rate multiplied by the number of hours (or portion of hours) spent on your case.
- **Fixed fee.** A specific amount of money for a specific service.
- **Cost advance.** Periodic advance payment to the lawyer for on-going expenses associated with litigation.
- **Mixed fee.** Combination of contingency and hourly fees.