



How to Hire an Attorney



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How to Find and Hire Attorneys in Your Area

Finding Attorneys in Your Area

First, our compliments to you for doing your research on how best to go about hiring an attorney. Unlike other professions like doctors or accountants, many people only require an attorney a few times in their lifetime. As such, it is often the case people do not have an ongoing relationship with an attorney or law firm. With the checklist included in this e-book, you can feel confident about the law firm you hire to represent you in your case.

START WITH PEOPLE IN THE KNOW: COURT STAFF, POLICE OFFICERS, AND OTHER GOVERNMENTAL EMPLOYEES

There's a saying in the medical field: if you want to know if the doctor is good – ask the nurse. The same applies for attorneys. Court staff such as bailiffs and court reporters see attorneys day in and day out in their line of work. They are sometimes the best word of mouth source to evaluate just how good an attorney really is. Police Officers and probation officers also routinely have contact

with criminal defense attorneys, and real estate agents and investment advisors typically also deal quite a bit with attorneys when it comes to land transactions and estate planning.

TALK TO FRIENDS AND FAMILY - DO NOT BE AFRAID TO ASK FACEBOOK NATION

Although your search for an attorney should not end with the people listed above, they can give you some anecdotes about their particular experiences with attorneys they have had in the past.



GET TO GOOGLING

Of course you are going to look up the attorney AND his or her firm, but you will learn a lot of information about the firm by looking at their website. Here are some things to consider:

1. **General appearance:**

Lawyers are tasked with advocating for you and *presenting your case*. At their heart, attorneys are educators, motivators, and advocates for a particular position. A website that is clean, easy to navigate, and up to date means that the attorneys running the firm take their business, their appearance, and their preparation seriously. Of course, a great website does not make a great attorney, but it does indicate whether the attorney appreciates and recognizes the importance of his or her own personal and firm brand.

2. **Is the attorney a solo practitioner or in a firm?**

Typically, attorneys practice in groups known

as a firm. Much like doctors, attorneys find they can usually provide a higher level of service to their clients and keep their cases moving if multiple attorneys are available to do work on the case. Often, a case will have a “lead attorney” that is making the major decisions about the case, but other attorneys may assist or fill in for tasks so the case does not get delayed. Unfortunately, courts are overwhelmed with cases and as such clients are required to wait their turn before court time becomes available. Hiring a law firm as opposed to a solo practitioner (an attorney that does NOT belong to a law firm) generally means your case can be resolved quicker simply due to more availability by more attorneys.

3. **Does the firm’s website attempt to educate potential clients?**

A law firm’s website should aim to provide understanding in a particular legal area. An educated client can ask better questions, provides better information, and has a more realistic understanding of expectations for a particular case. A website that leaves you educated also shows that the attorney has more than just a passing experience in the particular area of practice in which you need representation.

4. **Are there testimonials on the firm’s website?**

Word of mouth continues to be a tried and true method of evaluating the quality of a law firm. Keep in mind, many people tend to be very private about their particular cases. In

contrast to other businesses such as restaurants or personal services, you may not find a lot of details pertaining to a former clients' particular case. Also, you will want to make sure that the law firm you are interested in hiring has not disclosed any information about a previous client online. As a general rule, even in the case of a bad review, most law firms opt to NOT respond.

- a. What do the bad reviews say about the firm? Keep in mind that each client has a particular opinion about their case – how complicated it is, what a likely outcome should be, or what it should cost – but this can be far from the reality. For example, if you were considering choosing a doctor to treat cancer, you may be persuaded to look at the doctors' patients' survival rates and simply choose the doctor who has the highest rate of survival. Seems like a good idea, but if you employed this method you may have just made a major mistake. Most of the time, the best doctors are assigned or take on the most complicated cases – which causes their survival rates to be lower. Similarly, each case an attorney takes on is unique, with its own particular facts and challenges. Rather than looking at the specific facts of any case, look at the review of the service provided.

- i. Look for the following problems:
 1. Lack of communication;
 2. Unclear expectations;
 3. Lack of staff;
 4. Lack of follow through;
 5. Lack of honesty.



Good Reviews provide valuable insight as to how the firm performs on a **regular basis.**

- ii. Also, keep in mind that when you see a bad review (and there should be a few bad reviews, otherwise the law firm just is not doing enough business) check out the person who is giving the bad review and consider the source. As we like to say in the law, there are always two sides of the story.

5. Does the firm adequately express their particular practice areas?

- a. Attorneys in law firms that have experience and confidence in their practice areas will have no problem coming up with plenty of things to say about their practice areas. Lengthy copy on their website, blog posts, and social media interaction suggests the firm is a leading expert in the field. On the other hand, “general” or “vague” expressions of experience generally suggest quite the opposite.

6. How long has the firm been around?

- a. Age is not an absolute indication of quality legal representation, but it does suggest the attorneys at the firm are doing something right. Typically, a firm will strive to have enough years of experience to provide guidance and historical insight along with enough young and upcoming talent to remain cutting edge and aggressive.
- b. If the firm has some age on it, is it committed to staying up to date and cutting edge?

7. Does the firm have a brick and mortar place of business?

- a. A legal education is very lengthy and very expensive. A modern trend in the practice

of law is to ditch the brick and mortar business and go solely online. This aims at reducing the overhead for the attorney while increasing the attorney’s mobility. The problem with lacking an actual brick and mortar office is that it tends to suggest a lack of a commitment to a core geographical practice. It is very true that more and more everyday attorneys are finding themselves conducting business in remote locations, and this will only increase in the future, but the presences of a brick and mortar business suggests that the firm has made a commitment to a geographical community to serve as a “home base” for their business.

8. Does the firm have experience in multiple counties or just one locale?

- a. Having legal experience in multiple geographical locales can be an important factor when considering a law firm. Attorneys that have had little experience outside of a particular county may not have the experience necessary in other counties to provide top notch representation. Having had experience in other geographical areas means that the attorney has a deep network developed to provide the best possible legal guidance and predictions of legal outcomes.

CHECK OUT SOCIAL MEDIA

Just like online reviews, social media is a good place to look to see what experiences the general public has had with the firm. It is also a great place to see if the firm is committed to being a good tenant of its local community. Being a good member of the local community in which the firm practices means it is held accountable by its citizens, clients, and neighbors.

IS THE FIRM RECOGNIZED BY INDUSTRY GROUPS?

For several years now, there have been numerous organizations that award attorneys and other professionals for their particular achievements. Admittedly, this has become somewhat of a cottage industry. An attorney being recognized as a “Top Lawyer” – by any sort of organization is no guarantee that the attorney holds any special qualifications, but it does suggest the attorney is active in a particular area of practice. The best thing to do is ask the attorney during a consultation about awards his or her firm has received and their significance.

WHEN TO BEGIN INTERVIEWING ATTORNEYS

Here is a list of what you should do BEFORE you begin interviewing:

1. Decide WHO is going to be involved in the decision-making process of hiring the law firm. It is often the case that there is more than one person involved in the decision hiring process.

The client is many times NOT the person who is going to be paying the bill. To avoid tension throughout the process, make sure a clear list is made of who is and who is NOT a stakeholder in the decision.

- a. Keep in mind that this can also be difficult for the attorney. Attorneys need to know who to communicate with during a consultation.
2. Identify HOW you prefer to communicate with your attorney. The absolute #1 complaint clients have of their attorneys is lack of communication. Not all attorneys are comfortable using digital technology, as the law tends to be a very slow area of business to evolve. By the same token, some newer startup firms do not have the experience and appreciation of doing things “the old-fashioned way”. Also make sure that if you are involved in the decision-making process for a loved one, they need to be comfortable as well.
3. Think about a budget. There are many ways lawyers get paid: contingency, hourly rate, and fee shifting – just to name a few. Once you understand how your case will be financed, you can then begin to craft a budget.
4. Know what you do NOT want. This takes time, so do not rush it, but after having done your online research you should be able to make a quick list of things you want to avoid.



The First Meeting

What to Expect at the First Meeting

Most attorneys will offer an initial conversation free of charge. Warning – this is typically NOT the case when it comes to family law cases such as divorce, custody, adoption, etc.

At your initial consultation you will get an idea of whether you think an attorney client relationship with the particular attorney you are meeting with is something that will work out. You will learn about the attorney's experience and his or her firm's experience in your particular legal field.

You should feel comfortable with your attorney, as you will be spending a good amount of time with him or her.

Ask your attorney to give you a 30,000-foot view of your case and the timeline to expect. At the end of the initial consultation you should have a good idea about the legal process, the length of that legal process, and the cost.

Also, make sure you discuss your expectation with your attorney. Probably the second most common complaint has to do with results and expectations of those results. For example, couples after a nasty break up often want extremely limited parenting time by the other parent. This is very rarely the case, but because of a failure on the part of the attorney and the client to have a clear understanding of what "limited parenting time" really means, there is going to be a breakdown even if the attorney does a good job.

As mentioned earlier, a big consideration when hiring an attorney is whether to select an attorney who is a solo practitioner or one that is in a firm.

But do not think just because there are other attorneys in the firm they can handle your case. Make sure you ask about the FIRM's experience and ability to handle your case as opposed to just one attorney.

Questions to Ask:

1. How much is this going to cost?
2. What do you think is a likely resolution of this case?
3. How long have you been practicing in this area?
4. How many other attorneys are available at your firm that can handle my case if need be?
5. How much support staff do you have?
6. How will I be notified of court dates, balance in my escrow account, and bills?
7. Can I make payment with credit cards?
8. How secure is my data on your server/network?
9. How often are you in court in this particular area of practice?

THINGS TO LOOK OUT FOR

1. **Absolutes and Promises:**

There is an old saying, an attorney that makes a promise at the beginning of a case is either a liar or a fool. Even if you think the case is "routine" – there are no guarantees in the legal system. Just as each case is unique so too is the justice that is served. This does not mean that your attorney should not be able to answer a question about what is "typical" in your particular case, but making a promise before taking on the case is naïve as to the problems that could arise.

2. **The Lack of Communication or Willing to Work with Others:**

The legal system is an evolving system, and as such, we see more collaboration between different professionals on a daily basis. For example, a criminal defense attorney may need to consult with a drug addiction counselor, an immigration attorney, and a medical doctor all on one case. A good attorney knows that he or she does not hold a monopoly on all the good ideas. At some point, a decision will have to be made as to strategy – and this is the attorney's decision to make – but the more relevant input the attorney has, the better decision he or she can make. An attorney that takes a pompous position of being a "know it all" likely will miss opportunities afforded by others.

3. Lack of Staff:

Again, a popular trend in the legal practice is to cut down on overhead and do away with legal professionals. Sometimes there is an attempt to automate these tasks, but often it results in a lack of communication and important tasks can be left neglected or an investigation not thoroughly conducted. Legal staff also has the ability to “triage” work for the attorney, allowing him or her to attend to emergencies as they pop up and provide the necessary time to get important work done.

4. Lack of Ability to Demonstrate Ability:

When you are conducting an interview with an attorney, he or she should be able to provide you with not only an explanation of the law but also specific examples of instances in which his or her firm have utilized different legal theories. Understanding the theory behind the law is one thing, being able to practice it is another thing entirely.

Choosing the right attorney is an important decision for you, your family, and everyone involved in the legal process of your case. Use these tips and checklists as a tool to help you narrow down your options for a great attorney. Remember, you will likely be spending a lot of time with this professional, so it is important you feel comfortable, included, and informed at all stages of the process. There is a lot to be said about the feeling and impression you get when you meet an attorney face-to-face. Listen to your intuition and be sure to ask all the relevant questions about your case, their experience, and expectations for the case. Legal proceedings can be a very stressful time in many situations, so be sure you have a team behind you that you can trust to make the right decisions on your behalf. We hope this checklist helps relieve some of the uneasiness in choosing the right attorney for you and your case. If you have any questions or reservations, contact our team of attorneys at Boren, Oliver, & Coffey, LLP. **You are a person first and a case second and our team is here to help you every step of the way.**



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