

...so you need a lawyer. Who do you call? You search the Internet and find a lot of attorneys, yet there is *no way* to determine which attorney is best suited to represent you. You don't want to waste your money or, even worse, select an attorney who doesn't listen to you or return your phone calls.

I am a practicing attorney and have been asked countless times how to select an attorney. The following are a few tips that will empower you when choosing an attorney:

1. Identify what type of representation you need (this may require a specialist; for example: adoption, driving while intoxicated, etc.).
2. Determine your financial resources to pay the lawyer for representation. Another person (third party) is permitted to pay your legal fees, and this third party does not fall within the attorney-client privilege i.e. nothing that you say to your attorney will be disclosed.
3. Determine the statute of limitations through searching the Internet. A 'statute of limitations' is the length of time that a particular cause of action (lawsuit) may be brought. For example: In Florida, a person only has 4 years, from the date of the incident, to sue another person for fraud. A lawsuit may not be brought after 4 years from the incident; it is forever barred.
4. Google search key terms for a lawyer. Start with evaluating the law practices that are on the first page of search results. Do not use a friend's lawyer; your expectations will be too high and, if you are not satisfied with the representation, it could cause a rift in your friendship.
6. Conduct Internet research to investigate a lawyer. For example: Go to your state Bar website and search the attorney's name to learn if he or she has been sanctioned (in trouble) with the state bar association.

The next step is to consult with a lawyer. The following are my tips:

1. Consultations should be free. There are far more practicing lawyers than there is currently work for them. They will get **plenty** of your money later...and a free consultation is a good vehicle to determine what you think of the lawyer. Call the phone number provided on the website or submit a request for a consultation on their webpage. You should get a call back within 24 hours from someone at the law practice recognizing the website request; you should get the consultation within 3 days of calling for it.
2. Organize your thoughts and outline the facts of your issue, to the best of your ability, as you prepare for the consultation. Lawyers translate your issues to what matters to the court and so they 'listen through' the consultation to identify possible legal issues.
3. Locate and organize all relevant paperwork. Make copies of it to bring to the consultation. I find it difficult, if not impossible, to counsel a potential client on strategy and likely outcomes if key paperwork was missing. You may believe that your memory is perfect and you can recall precisely what was on that paper you forgot...yet the lawyer takes this with a grain of salt because, even if you are correct, all that matters is what is actually on the paper.

4. Make sure that you **fully understand** the fee structure. This is where the devil is in the details. The one primary fee to look for is how the hours are billed; do they bill in 15 minute increments or 30 minute increments? This means that the client is billed by the increment, yet rounded up. For example: If I bill a client in 15 minute increments, the actual billable time is 30 minutes if I work a second beyond 15 minutes; the actual billable time is one hour if I work a second beyond 30 minutes. This is how bills are padded and law firms make a lot of money. I would only hire lawyer that bills in 15 minute increments. I bill by the minute and my clients appreciate the diligence and transparency that accompany this practice.

5. If you are party to a lawsuit and are seeking a defense lawyer of some type, it is **very important** that you use a lawyer that knows the judge and has practiced in front of him or her before. Think of this as 'home field advantage'. How do you know what lawyer knows what judge? You don't. However, finding the lawyer with the most years of experience, in a particular legal practice area, will greatly increase the chances that the lawyer knows the judge.

6. A lawyer that *guarantees* you an outcome is lying. Get up and leave immediately. The lawyers should brief you on what the possible courses of action are and what the *likely* outcome may be based upon her or his experience.

7. Many lawyers require an up-front retainer to begin work. This can run in the thousands of dollars. Find out how much the retainer is. Remember- **you don't lose this money**. It goes into a trust account and the lawyer's fees are taken from that retainer **after** the monthly billing statement is provided to, and not disputed by, the client.

* Professor Ben Straight hosts a Podcast, *Tampa Professor*, available on iTunes and SoundCloud. His website is <http://www.tampaprofessor.com/>