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Choosing an Attorney

Choosing an attorney is a key part of your personal financial life. Unfortunately, the process of finding the right individual can be confusing and frustrating. First of all, you need to be able to find someone who is qualified in the area of the law with which you need help. Secondly, you should be comfortable working with that person.

Always remember that your attorney works for you. Your attorney has a professional and ethical duty to put your interests first. The attorney's primary role is to provide advice and guidance; the final decision as to what action should be taken is yours.

How to Find an Attorney

Talk to people you know and ask about their experience. Another good idea is to check with the local bar association because they often have a referral program.

What Criteria Should Be Used?

In simple terms, the goal is to find the best qualified person you can afford.

On your part, you need to know exactly what it is you wish to accomplish. Do you want to set up a trust? Do you need help in settling an estate? Do you have a dispute with the IRS? Are you filing for divorce? Were you injured in an accident? Have you been charged with a crime? Do you need to draft documents and contracts for your business?

No one individual can be proficient in all areas of the law. That's why most attorneys tend to concentrate their efforts in a specific area of expertise, which can facilitate your search.

What Does Being Licensed Mean?

An individual must pass the state bar exam to practice law in a particular state. Each state is different and has its own examination. Therefore, being licensed in one state does not allow an attorney to practice law in another state. Passing a state's bar means that the individual has demonstrated that he or she possesses a minimum level of legal knowledge and is therefore authorized to represent clients before the courts of that state.

An attorney should be willing to furnish you with his or her state bar number. You can then check with the state bar to verify that the attorney is licensed. In some states, you can find out if he or she has been disciplined for past misconduct. Of course, merely being licensed is no assurance that a particular attorney is the best person to handle your case.

Interview the Attorney

Interview your attorney as you would anyone you were considering hiring for a job. Your attorney should be someone you are comfortable with and with whom you can communicate freely. Even more important, your attorney must be someone you can trust.

Choosing an Attorney

Experience

Ask the attorney about his or her legal background and experience. Although many state bar associations do not require an attorney to be experienced or qualified in a specific area of law to practice in that area, some states do recognize highly specialized areas of legal expertise. At a minimum, you should know if your attorney has ever handled the type of matter you need help with.

Next, you should ask about your attorney's non-law background and experience. Most attorneys have had a life outside of law school. The most important experience relating to your matter may not be law or even law related.

Large Firm vs. Individual Practitioner

Since most attorneys tend to specialize in their practice of law, they often find that they can not provide all the services a client may require. Therefore, an attorney generally has two choices: work with a large firm and refer the client to specialists within the firm; or develop a list of outside attorneys to refer clients to for matters they choose not to handle. From the client's point of view, this decision is a matter of personal choice.

- **Large firms:** Advantages: One-stop shopping, generally good in-house expertise and can usually handle a variety of concerns. Disadvantages: May lack understanding of you and your business; sometimes more expensive.
- **Individual Practitioner:** Advantages: More likely to take the time to fully understand you and your needs; generally lower hourly rates. Disadvantages: Limited expertise, may hit time constraints when doing trials. In addition, you may need to work with more than one office to handle all matters.