

When do you need to consult with an attorney?

Answer: The best time to consult with an attorney is when you don't need one. Whenever you have concerns about a potential problem, that the time to talk to a lawyer.

Here are a few of the reasons to consult with an attorney:

1. Get the facts. Talk to a currently licensed attorney in your state that practices in the area of the law where you have questions.
2. Get current knowledge. What was the law 20 years ago, might not be the law today.
3. It reduces stress and is empowering. Most people are scared and don't know what to do next. Being paralyzed and ignoring problems usually makes the situation worst.
4. You need to talk to someone that will consider all possible outcomes in your case. Someone that can see the pros and cons of both sides of the case.
5. It can save you money. Many people try to do it themselves in an attempt to save money. For example, probating an estate in Texas is inexpensive and easy if done properly. If done wrong, it's a slow, expensive process.
6. Most of the form kits or available on the internet are not worth the money – especially the ones that claim they work in all 50 states.

I practice what I preach. Whenever I have a legal question, I go to an attorney that practices in that area of the law and pay for an hour of their time. When I leave their office I know the following: (a) the current laws and how courts are interpreting them; (b) if there is a time limit for either side to act; (c) if there is anything I can do to protect myself, and (d) strategies in the event litigation becomes necessary. When I'm personally involved in a lawsuit, I hire an attorney to represent me then I listen to their advice.

The best time to consult with an attorney is BEFORE any life cycle event or possible crisis. Such as BEFORE:

1. Opening or closing a business, forming a partnership or corporation
2. Signing a contract – such as an apartment lease, promissory note, car loan, employment contract, leasing equipment, etc.
3. Contemplating marriage, separation or having a child (including adoption)
4. Buying or selling a major asset - such as real estate
5. Having any surgical procedure – to make sure that your wishes are carried out in case you are unable to speak for yourself (such as being in a coma) & making sure your family will be ok
6. Considering retirement
7. Helping your aging parents – before they are mentally incompetent or need to move into a nursing home
8. Considering pleading guilty (or no contest) to a traffic ticket, criminal charge or you are a possible suspect in a criminal investigation
9. Conflicts with neighbors, relatives, friends, employers get out of control.

What sort of attorney do I need?

1. An attorney that practices primarily in your area of concern. For example, if you have a divorce case in Texas, don't call a corporate attorney in Oklahoma.
2. An attorney listens to you, seems interested in your case and speaks so that you can understand legal terms and concepts.
3. An attorney that explains the pros and cons of your case.
4. An attorney that you trust. You need an attorneys on your side and working with you.
5. An attorney that insists on both of you signing a Legal Services Agreement – it should clearly state that the attorney is going to do, how much they are going to charge and how much you are going to pay.

What sort of attorney should I avoid?

1. An attorney that makes guarantees or promises. An attorney that claims they win 100% of their cases. I once had a potential client ask me how many cases I had won. I told him I could not answer that question since I felt the only winners in a divorce lawsuit are the attorneys.
2. An attorney that will represent both parties in a lawsuit.
3. An attorney that practices in all areas of the law. It is almost impossible today to stay up-to-date on all legal subjects.
4. An attorney you cannot afford. If the attorney's hourly rate is \$600/hour and you make minimum wage, there is no way you can afford to hire this attorney for a prolonged child custody battle. Be realistic.
5. An attorney that never sends you copies of correspondence in your case and never returns your calls.

How do I find an attorney?

1. Ask your friends and attorneys who they recommend. If your friend says the opposing counsel was much better than their lawyer, get the opposing counsel's name!
2. The American Bar Association has a comprehensive list of pro bono organizations throughout the U.S. if you qualify for free services.
3. If there is an attorney in your neighborhood, stop by their office and see if you like them.
4. Check your local TV guide, free newspapers, yellow pages, the internet, etc. Be aware that all advertisements have been paid for by the attorney. The bigger the ad, the more money spent. The biggest ad does NOT mean the best lawyers. Also, many "featured lawyers" or "top 10 lists" are merely expensive advertising.
5. Be a savvy consumer. Example: My own mother paid \$5,000 to a prestigious attorney for a will. Years later she asked me to review her will. I was shocked at the typos and errors. I convinced her to use a small law firm and for under \$1,200 she got an attorney that truly listened and prepared the documents to reflect her wishes.