

Your First Consultation

You will save time, expense, and frustration if you prepare as completely as possible for your first conversation with a prospective attorney, whether it is over the phone or in the office.

#1 Stick To The Facts

Almost any issue that moves you to seek legal advice is likely to affect you emotionally, and it's natural for you to want an attorney to understand how you feel. It will be easier for an attorney to assist you, however, if you focus on *facts* more than feelings.

#2 Present It In Print

Bring any documents that pertain to your problem, such as contracts, citations, deeds, wills, e-mails, letters, or photographs, to your first meeting.

#3 Don't Leave Things Out

Your attorney needs to see the situation from every side in order to determine how the law can serve you best. Your information will be held in strict confidence. Attorneys are bound by the same code of confidentiality as clergy and doctors, and without your consent, an attorney cannot reveal anything that you say as part of a professional relationship -- even in this first meeting, before you have actually made a decision to retain the attorney. No court or other authority can force the attorney to violate that confidence. Good or bad, flattering or unflattering, tell the truth and don't leave out any relevant facts about yourself or your problem.

#4 Ask Questions

If you don't understand something, ask. And it's also ok to ask about an attorney's professional experience, education, background, and familiarity with the kind of problem you are presenting.

#5 Discuss Fees and Payment

Understanding Attorney Fees

Legal fees pay for your attorney's time and professional expertise, as well as for all of the business expenses of a legal practice -- trained support staff, specialized computer systems, office equipment, law books and references, communications services, postage, supplies, rent, travel, insurance, professional fees, and more. Discuss both **the rates you will be charged**, and **the way you will be billed**. If you think you will have any difficulty paying what the attorney asks, say so. If it does not put your welfare or the attorney's ethical obligations in jeopardy, you may be able to arrange for the attorney to do part of your project (called "unbundled law"), and do the rest yourself "*pro se*." Or you may be able to arrange a payment plan. At the end of your first meeting, ask the attorney to send you a letter stating the rates and fee arrangements you have agreed to, so there will be no question later on.

Rates - Attorney rates vary greatly from state to state, attorney to attorney, and according to factors such as the area of law involved, the complexity of the legal work being performed, and the experience and reputation of the attorney. A simple problem involving routine, well-established procedures can usually be expected to cost less than a complex matter that raises unique questions or requires work in a specialized field of law. Similarly, a well-known attorney with greater experience in a certain area will most likely be in higher demand, and will charge more than someone lesser known. In almost all cases, you should be able to find an attorney in whom you can have confidence for work that you deem important.

Fee Arrangements - Most attorneys will ask for a deposit, or "**retainer**" at the time that you agree to engage their services. The amount of a retainer can range anywhere from several hundred to several thousand dollars. In most instances, the retainer will not cover the entire cost of services. Your attorney may request that you make additional payments periodically, or at the completion of services. The schedule of payments should be part of the fee arrangement you make with your attorney, and is usually in one of the following forms.

- * **Flat Fee** - for handling a particular type of case or a discreet legal task
- * **Percentage or Contingent Fee** - related to the amount of any awards recovered from the other party in some types of personal injury or damage cases
- * **Hourly Rate** - including all time in communication with you in person, by e-mail, phone, or correspondence; time spent researching issues and legal options, reviewing evidence, preparing documents, or preparing for court; and travel time, as well as in actual courtroom appearances

To Keep Your Costs Down

Be Clear Know what outcome you want.

Be Informed Make sure you understand how your attorney plans to assist you.

Be Prepared Have contact information for everyone involved written down.

Be Business-Like Focus on the facts.

Be Brief Avoid unnecessary phone calls.

That very famous lawyer Abraham Lincoln once said, "A lawyer's time and advice are his stock-in-trade." Time and advice are the products the attorney has to offer, the "groceries on the shelf" of his or her legal services store. As in any other business or service agreement, you have a right to expect competent services from your lawyer, and your lawyer has an equal right to expect prompt and complete payment from you. *Maine Bar Rules allow a lawyer to withdraw from a case in which the client disregards financial obligations to the lawyer.* That is why it is essential for you and your lawyer to **have a clear agreement** regarding both fees and reimbursement for expenses.

The Lawyer Referral & Information Service actively seeks feedback regarding the usefulness and quality of its service. We do not arbitrate fee disputes. If you feel your attorneys fees are excessive address your complaint to:

Fee Arbitration Commission
Maine Board of Overseers of the Bar
 P O Box 527
 Augusta, ME 04332

Only Licensed Attorneys May Practice Law

Paralegals, court clerks, and volunteers with government and legal assistance services may provide information about legal procedures and assist you with legal forms, but only an attorney can give you legal advice. In Maine, the right to practice law is granted by the Supreme Judicial Court of Maine and governed by the Maine Board of Overseers of the Bar. Even attorneys who are already licensed to practice law in other states must pass a comprehensive exam specific to Maine law before they can be "admitted to the Maine Bar" and licensed to practice law in Maine. In addition, all attorneys must continue to update and upgrade their knowledge by attending a certain number of hours of approved Continuing Legal Education (CLE) seminars every year in order to maintain their Maine license.

The laws are complicated and they change.

For legal advice, consult a lawyer.

Use of the ABA Lawyer Referral and Information Service logo indicates that this lawyer referral program has been reviewed by the ABA and meets the specific public service standards established by the ABA. ABA approved lawyer referral programs:

- Agree to establish and maintain objective experience criteria for their panel attorneys,
- Provide a mechanism for client feedback and resolving client complaints
- Do not limit the number of attorneys who may join the Lawyer Referral and Information Service, provided that they meet the objective requirements for panel membership,
- Require and verify that all panel attorneys carry legal malpractice insurance.

Use of the logo indicates that this program meets ABA standards for lawyer referral services. The ABA does not review the qualifications of the individual lawyers who participate in the service. For more details on the ABA standards, visit www.abanet.org/legalservices/lrsrules.html.

Lawyer Referral & Information Service

Attorneys & Their Fees: What You Should Know

The Right Call for the Right Lawyer

1-800-860-1460

