How to Find an Attorney: A Guide for Nonlawyers

Please note that although I am a licensed attorney, I do not represent clients in legal matters, provide legal advice, or draft attorney work product. This article is for informational purposes only and does not constitute legal advice.

Introduction

Finding an attorney can be overwhelming. There are so many options—on billboards, in TV ads, at big national firms, at smaller local firms, and solo practitioners. This article guides you through understanding the type of attorney you need, as well as how to research, interview, and finally select an attorney that's right for you and your case, including questions to ask and notes to make.

Start Your Search Early

If you think you might need an attorney, even if you are not sure, start your search. It can take time to find the right attorney, and it will be more difficult and stressful if you're in a time crunch.

Understand the Type of Attorney You Need



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Most attorneys focus on a general area or type of law. For example, typically, the same attorney would not handle a business dispute as would handle a criminal case. Before searching for an attorney, it helps to understand the area of law that applies to your situation, including common areas of criminal and civil law and specialty cases.

Common areas of criminal and civil law

Some common areas of law where you may need an attorney include:

- **Criminal cases**
  - DUI, theft, domestic violence, assault, murder
  - White collar criminal law: embezzlement, fraud, Ponzi schemes

- **Civil cases**
    - Personal injury: Car accidents, slip and falls, dog bites, wrongful death
    - Landlord-tenant: Disputes between landlords and tenants of residential property, like apartments and homes
    - Business issues: Partnership disputes or breakups, landlord-tenant disputes for commercial properties like restaurants and office buildings, defamation cases involving false statements made about another, disputes before professional licensing agencies representing attorneys, doctors, contractors, and real estate agents
    - Transactional: Documenting major transactions like two companies merging, major construction contracts, and large business contracts
    - Consumer protection: Disputes between consumers and businesses or sellers for product liability, deceptive trade practices, and false advertising
    - Construction law: Disputes between contractors and property owners related to homes or businesses during new construction or repairs
    - Probate: Issues involving wills, trusts, and estates of deceased persons
    - Family: Divorce, child custody, alimony/palimony

Specialty cases

Some areas of law are so specialized that attorneys typically handle only cases involving a single narrow topic. Practicing in these areas sometimes requires a lawyer to obtain an additional law license or a special certification. Some examples of legal specialty areas include:

- Patent law: Applying for and obtaining patents, defending patent ownership rights
- Securities law: Issues regarding stock of publicly traded companies, including compliance and litigation
- Bankruptcy: Debtors seeking protection in a bankruptcy and creditors attempting to collect from the debtor
- Administrative law: Law governing state and federal government agencies, such as the Environmental Protection Agency (EPA), the Food and Drug Administration (FDA), and similar state agencies
- Class Actions: Class actions involve one plaintiff or a group of plaintiffs filing a lawsuit on behalf of a large group of people not directly involved with the lawsuit. Class actions can involve many areas of the law, but they often cover classes of people in several states or nationwide and are governed by different procedural rules.
- High-Profile Cases: A high-profile case may involve a celebrity or political leader and is likely to attract substantial media attention. Attorneys who handle high-profile cases often have experience not only in the subject matter of the lawsuit but also in

interacting with the media, including sitting for interviews, holding press conferences, releasing press statements, and coaching their clients on how to interact with the media.

Once you have an idea of the area of law your situation involves, you can begin researching attorneys.



Researching Attorneys: Creating A Short List

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The first step in researching attorneys is to create a short list of 3-5 attorneys to investigate further. There are a few ways to start this process:

- **Ask an Attorney:** If you know an attorney or have worked with an attorney before, even if they practice in a different area of law than what you need, ask them for a recommendation. Attorneys often know many other attorneys in several areas of the law and can quickly provide you with a few names.
- **Personal Recommendations:** Ask friends, family, or colleagues if they know attorneys who have handled cases similar to yours, and even better, if they worked with them directly and recommend their services.
- **Professional Networks:** If you belong to a professional organization or work with professionals, such as accountants, real estate agents, or business owners, they may have attorneys that they work with and can recommend.
- **State Bar Resources:** Actively practicing attorneys are typically members of the state bar where they are licensed (or multiple state bars if they are licensed in more than one state). State bar websites often offer helpful resources for finding an attorney, such as:
    - A search function to search for attorneys by location or type of law, or
    - A phone number you can call to request attorney referrals.
    - If you are unable to pay for an attorney, the state bar can likely connect you to legal aid or a similar organization that may be able to provide free legal services.

Deep Dive the Short List

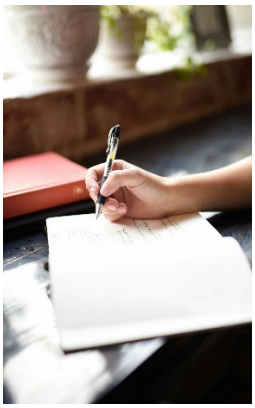


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Once you have your short list of 3 to 5 attorneys, take a deeper look into each one.

- **Licensing**: Make sure the attorney is licensed. Go to the state bar website and search for the attorney by name. It should state when the attorney became licensed or barred, and whether the attorney's license is active and in good standing. If the profile states anything else, such as indicating the attorney's license is suspended, inactive, or retired, then stop. This attorney likely cannot legally practice law at this time.
- **Discipline**: When you review the attorney's licensing information on the state bar website, also review if the attorney has any disciplinary records, meaning that the state bar has disciplined the attorney for acting improperly in the practice of law. If there is a disciplinary record, proceed with caution and continue searching for an attorney without one.
- **Experience**: Look for attorneys who have handled cases similar to yours and who have been practicing law for more than a year or two. You can find this type of information on their law firm website, which will usually include their biography, the types of cases they handle, example cases, and client testimonials. There may also be links to published court decisions in which the attorney was involved or to articles they wrote.
- **Culture fit**: If it is important to you that you and your attorney have similar values and approaches to life, review their social media accounts. You may be able to learn more about them, such as if they are an art lover, a dog parent, a social activist, a business owner, from the same city as you, or a member of certain social or volunteer groups.

Once you have vetted your shortlist, you should have 2-3 attorneys you would like to meet with.

Schedule Consultations: Two-Way Interviews



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A consultation is an initial meeting with the attorney that functions like a two-way interview. You are interviewing the attorney to see if they have the expertise needed to handle your case, and if you want to work with them. At the same time, the attorney is interviewing you to understand what your case is about and if they want to work with you. Legal issues, especially if the case heads to litigation, can take years to resolve, so it is important that you and your attorney have solid communication and a good working relationship.

- **Paid versus free consultations**. Some attorneys offer free consultations. This is common for attorneys who represent plaintiffs in personal injury cases or defendants in criminal cases. Other attorneys charge for a consultation, for example, $500 for an hour-long meeting. This is common for attorneys representing clients in business disputes and cases involving larger amounts of money.
- **Prepare for the consultation.** To make the most out of the consultation, do the following to prepare:
    - Draft a brief timeline of the events of your case and bring an extra copy.
    - Gather copies of documents important to your case that you can leave with the attorney if requested.
    - Write a list of questions you have, such as:
        - Do you think I have a strong case? What are the weaknesses?
        - What do you think is a likely outcome for my case?
        - What do you think the next steps would be?
        - What do you charge? What is included in that charge? Is anything not included?

        - Would I be working only with you or also with other people at your firm (like other attorneys and paralegals)?

- **During the consultation**:
    - Listen to what the attorney has to say. Ask your questions and jot down the attorney's answers.
    - Assess whether the attorney listens well, explains things clearly, and makes you feel comfortable. Take notes.
    - Take notice of your surroundings. Is the office professional? Do you feel comfortable? Does it seem like the staff and the attorney are organized and work well together? Are people speaking kindly and professionally or yelling and snapping at each other? Make notes.



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After you meet with the attorneys, review your notes and decide who is the best match considering their expertise, communication style, office morale, fees, and willingness to take your case.

Sign the Fee or Engagement Agreement

Even if not legally required, your relationship with your attorney should be documented in a fee or engagement agreement. It should explain your responsibilities, such as providing information, promptly responding to your attorney, and paying as agreed. It should also explain the attorney's responsibilities, such as representing your interests in this particular matter, promptly communicating with you about developments in the case, and timely sending invoices.

The agreement should clearly state the amount of the attorney's fees, the costs you will be responsible for, and the type of fee arrangement. There are generally three types of fee arrangements:

- **Contingent**. The attorney will recover a portion of any amount recovered on your behalf in the lawsuit, and the costs incurred, such as filing fees and copies.

- **Hourly**. The attorney will bill you at an hourly rate for the time spent on your case and charge for costs.
- **Hybrid**. A hybrid fee may include a combination of hourly work and a contingent fee recovery.

In hourly or hybrid agreements, the attorney may require that you pay a retainer, which is a lump sum up front that the attorney will bill against as the case begins.

Once you understand the terms and are ready to agree, sign the agreement and get ready to roll up your sleeves and work with your new attorney!



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Final Tips

Finding the right attorney takes a bit of time and effort, but it's worth it. You and your attorney may be working together on your case for years to come. Take your time, do your research, ask questions, and consult with at least two attorneys.

Candice Renka *brings an English degree and over 17 years of legal and corporate experience to writing and editing nonfiction, business, and legal content. Comfortable with technical and complex topics, she writes, edits, and proofreads to reach the target audience saving busy professionals time and helping them scratch nagging to-dos off their list. See more of her work at candicerenka.com.*