



# The Perfect Match

*How to choose the right lawyer for the job.*

BY WARD B.B. DAVISON AND JAMES GILL

How did you choose your favorite mechanic? Or your doctor? Do you have a favorite barbecue spot? When it comes to critical decisions in life (like barbecue), you have to shop around. Choosing an attorney that suits your needs is no different.

**He took my car and used it as his own. Do I need a criminal lawyer or a civil attorney?**

If you feel a crime has been committed against you, call the police. If you want to file a lawsuit against the person who committed the crime, that will happen in a civil court and you should look for a lawyer who is

comfortable practicing civil law. You hire a criminal attorney when the government charges you with a crime and you need someone to defend you.

Of course, attorneys focus on several other areas of law, including family law, personal injury, business law, employment law, constitutional law, etc. The point is, you need to interview

attorneys with skill sets that match your needs. Good lawyers won't take a case if, after an interview, they felt they aren't competent to handle it, but there's no need to waste anybody's time.

If you're unsure about what type of attorney you need, you might try to find an attorney who is a general

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practitioner and takes hourly consulting appointments to discuss your options. You also might try giving a nonprofit referral service a call. The State Bar's Lawyer Referral Information Service can be reached at (800) 252-9690.

"All major metro areas have their own referral service, and the State Bar has a service to cover rural areas," said Jeannie Rollo, executive director of Lawyer Referral Service of Central Texas. "One of the best things about the services we offer is that we screen the attorneys we work with and can help the person in need get matched with an attorney with the proper skill set."

### **I've decided to hire an attorney. How do I start that relationship on the right foot?**

There are some basic tenants that all clients need to follow when retaining a lawyer.

1) *When speaking with an attorney, remember that everything you say is confidential, even before you decide to hire the attorney.*

It is vital to the client's satisfaction that the client be as forthcoming as possible from the first meeting. Do not withhold any information. By being upfront with the attorney, the attorney can better estimate the total cost and potential range of results after he or she starts working on your behalf.

2) *Tell the truth, all the truth, and nothing but the truth.*

Too often a client will try to hide a criminal record. Or maybe the client doesn't disclose his or her own bad actions in a dispute with an employer or spouse. This has some unavoidable consequences. Through the discovery process, your attorney will learn that you have lied; that will make discussions in the future more difficult—and guarantees you will have at least one "dressing-down" from your attorney.

Failing to disclose all relevant

information will weaken your attorney's ability to negotiate by undercutting his or her reliability in the eyes of the opposition. And if you're paying by the hour, there is a strong possibility the attorney will need to amend certain documents with the court, which will cost you more money.

3) *Have a clear idea of what you want to achieve.*

Be sure to go into the meeting knowing what you want. Be absolutely certain you understand the range of possible results of putting this attorney to work on your behalf. In civil litigation, if you pay an attorney to file suit on your behalf and you lose, you may end up paying your attorney, court costs, and the other party's attorney. This is another good reason to always disclose *all* relevant facts to your attorney, whether they help or hurt your case.

If you don't have a clear idea of what you want to achieve, or are just consulting with a lawyer to determine your options moving forward, still be prepared to disclose all information related to your issue.

### **So how do I pick the right attorney for me?**

Picking the right lawyer is a lot like shopping for a car. Several of the same factors come into play. You don't pay \$80,000 for a Mercedes if what you really need is a truck to haul your boat. You don't buy the cheapest car on the lot if you need something safe and reliable to get your kids to school. And if a bright yellow sports car just turns your stomach...you shouldn't buy a bright yellow sports car.

First, do your homework. Check for client reviews online. Search for a lawyer on the State Bar's website, [texasbar.com](http://texasbar.com). Ask your friends for recommendations. See if the attorney has published any articles or has had any cases published. Try and determine if an attorney handles the

type of issue you're dealing with before you even make the first call.

Next, set up an interview. This is a chance for you to get a feel for how an attorney operates. See if your personalities mesh. Are you comfortable? Does the attorney appear competent in the area of law in which you need help? Be aware that the attorney is also evaluating you on your ability to be forthcoming and evaluating your case on the merits.

Finally, be prepared to talk about cost. There are three types of fee arrangements. Some cases will be taken on a flat fee, meaning you make one payment and the lawyer handles your case for that fee from beginning to end. If special circumstances exist, an attorney might allow you to make monthly payments on this flat fee. Other lawyers charge an hourly rate. In this case, you'll pay a retainer and the lawyer will charge his or her time against that retainer. You'll get a monthly statement and may need to replenish the retainer in the future. Sometimes the best arrangement is a contingency fee. When suing for money, this might be a good option because you will pay the attorney only from the money recovered, meaning you have no upfront costs.

### **Nurture your relationship with your attorney.**

If you decide you need an attorney, it means that you feel the stakes are reasonably high for your legal issue. The client-attorney relationship will be only as fruitful as the relationship is truthful. Remember, you're working together toward a common goal that should improve your future. **TBJ**

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