



### **WHAT TO WATCH OUT FOR WHEN HIRING AN ATTORNEY**

Hiring an attorney is an important decision. Attorneys have many cases, but you have only one. Therefore, it is imperative that you hire the right attorney for your case. The attorney you hire should be capable of handling your case, experienced in the relevant area of law, responsive to your questions and concerns, diligent and hardworking with regard to deadlines, and ethical and honest. With so many attorneys advertising, it is difficult to know who to hire and what to watch out for. We recently wrote about the Top Five Tips for Hiring an Attorney. Now, we want to warn you about what to watch out for in making your decision.

1. **Attorneys who are not well qualified for your case.** The law is extremely specialized and one lawyer cannot possibly know everything about the law or have experience in every type of law. For that reason, most lawyers specialize and pick just a few areas on which to focus. Be wary of lawyers who advertise that they practice in numerous, unrelated areas of law. They likely do not have the necessary experience or depth of knowledge in any one particular area of law and may not keep up to date on the latest trends in any particular practice area.
2. **Attorneys who promise specific outcomes or case values.** Lawyers are prohibited from guaranteeing a specific outcome on a case. Nevertheless, some do – just so they can get your case. If a lawyer tells you your case is a “slam dunk” or quotes a specific case value during the first phone call or even during the first meeting, you should be very, very cautious. Determining the value of a personal injury case takes a great deal of time and cannot be fully assessed until the client has completed their medical treatment, depositions of the parties have been taken, information from the defendant has been obtained and reviewed, and research has been done regarding the value of similar cases. It often takes months or even a year to be able to determine a reasonable value range for a case. Unfortunately, because the legal market is so competitive, some attorneys will just tell you what they think you want to hear in order to get your case, only to back track later when it turns out that your case wasn’t the “slam dunk” that they predicted.
3. **Attorneys who have too many clients.** Some lawyers have a business model that we call “a volume practice.” This means that they focus on getting as many clients as they can, regardless of the strength of the case or whether the client and the lawyer are a good fit. The only way that this model can work successfully is if the lawyer hires a large number of assistants or inexperienced attorneys to handle the bulk of the work on your case. This type of law firm focuses on settling cases, often too cheaply. If you hire this type of lawyer, you will likely only meet the lawyer at the initial meeting and never hear from them or see them again. That is because they won’t be the ones working on your case. Their assistants, who are not lawyers or who are very inexperienced lawyers, will be doing the work. You may eventually feel pressured to settle your case and feel that you haven’t had enough information about your case so that you can make

a good decision. This is because a “volume practice” focuses on the sheer volume of settlements for the law firm, rather than individualized customer service for each individual case. When interviewing a lawyer, ask how many cases they have, how many assistants they have, and who will be doing the work on your case. If you don’t like the answers, you should hire a different lawyer.

4. **Attorneys who aren’t willing to take your case to trial, if necessary.** Although some cases should be settled rather than going to trial, the lawyer you hire should be capable of (and willing to) go to trial, if that is what is best for you and your case. Unfortunately, some lawyers who advertise that they are “trial lawyers” haven’t been to trial in years and lack the skills, courage, or resources to take your case to trial, if that is what is necessary. As a result, they often won’t spend the time and money on developing your case for trial, they will encourage you to settle your case even though your outcome might be better at trial, or they will tell you to get another lawyer if you want to go to trial. Not surprisingly, insurance companies know which lawyers are willing to go to trial and adjust their settlement offers accordingly. Although it is almost always impossible to know at the outset whether your case will (or should) go to trial, you should make sure that the attorney you hire is willing to stick with you through the end of your case, even if that means going to trial.
5. **Attorneys who don’t communicate well with you.** You should speak with and/or meet with any attorney you are considering hiring before you hire them. Make sure that the attorney seems to be a “good fit,” not just in terms of their legal skills and experience, but also in the way they treat you. Do they listen to you, do they answer your questions, do they treat you with respect, are they sensitive to your legal needs? Are they willing to answer questions about their fee structure, explain the legal process, and tell you how to reach them? If not, or if anything “just doesn’t feel right,” hire someone else.

**At Nelson Boyd, we realize that you have only one case. We pride ourselves on being accessible to you and taking only the cases in which the “fit” is right for both the client and the lawyer. If you need a lawyer, please contact us at (206) 971-7601 or toll free at (877) 971-7601 and see our website at [www.nelsonboydlaw.com](http://www.nelsonboydlaw.com). If we can’t help you, we’ll be happy to refer you to another lawyer who can.**