



Hire the Right Lawyer

“Negotiating through the legal system can be scary,” says attorney Jeannie Boyle, of Longabardi Law, especially when dealing with a matter of great personal consequence. The legal outcome in cases of elder law, divorce and custody, workers’ compensation, medical malpractice, insurance, trusts, estates, bankruptcy, and criminal matters can have lasting effects on your loved ones, your health and your finances, so it’s important to hire well. Here’s some advice from the pros to help you hire with confidence.

Decide what type of lawyer you need, then get referrals. “The days of the jack-of-all-trades general practitioners have disappeared, much like in other professions,” says attorney Scott Waxman of Potter, Anderson & Corroon LLP. “The industry is highly specialized, which is to your advantage.” Family, friends, and business associates are excellent sources of referrals, especially if they’ve dealt with a similar issue. Who did they use? What was their overall experience like? How responsive was the attorney? How effective was the attorney at achieving the desired result? Answers to these questions will set you on the right path.

“Delaware has a very difficult bar and a small legal community,” says lawyer Connor Bifferato, managing director of Bifferato LLC. With 2,592 resident, practicing attorneys (according to 2009

A good fit is essential. How do you find one? Start by asking the right questions.
BY SUSAN OATES

ABA figures), Delaware’s bar association is one of the smallest in the country. Again, that’s an advantage for you. “If you have a friend who is an attorney, they should be able to vet for you the best person to handle your particular situation,” Bifferato says. “For example, I know who the better criminal lawyers are and, within that group, who may be better with DUI issues.”

Once you have recommendations, do your own research. Read the lawyers’ Websites, run an Internet search for articles they may have written or been quoted in, and see if something resonates with you. Waxman suggests also checking peer review sites such as Law Dragons, Super Lawyers and Best Lawyers in America, where attorneys rate each other based on their knowledge, performance and experience. (If no rating is listed, it does not reflect negatively on the attorney; there simply weren’t enough reviews submitted about that particular attorney.)



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The most important part of your research is the consultation. "It's beneficial for both client and attorney to get more information, build rapport and ask questions," says lawyer Matt Bartkowski of Kimmel, Carter, Roman & Peltz. Consultations for some personal injury and workers' comp cases are given free, and fees are billed on a contingency basis, paid as a percentage of the settlement. Attorneys in other areas of practice will charge a consultation fee, but it's a worthwhile investment in the long run to ensure you've made the right choice.

Ask your prospective lawyer plenty of questions. What's the hourly rate? Can there be a flat fee? How much is the retainer? What rate is billed for associates or paralegals working on the case? What is the percentage if working on a contingency fee basis? Ask about their experience, years in practice, and number of cases with circumstances similar to yours.

Who else will be working on your case and in what capacity? What is the lawyer's caseload like and will they be available to you? How will you receive updates on your case? What are reasonable expectations about the process, amount of time it may take and outcomes?

"Make sure the legal process has been explained to your satisfaction in terms you can understand—not legalese—and that your questions have been answered," says Boyle. "So many times I hear from a client, 'Wow, I didn't know it worked like that.' Consult with a couple of attorneys. You don't have to hire the first one you meet."

"It's extremely important to find an attorney who makes decisions based on strong judgment," says Bifferato. "You want to feel confident that they're speaking to you about what's in your best interest, not what you want to hear, especially in areas where there is a lot of emotion. It will save you a lot of anguish and expense."

Waxman emphasizes the importance of "chemistry" and the need to have the right match. "Some lawyers may be more litigious, others may try to settle. You need to ascertain what their approach is, if it's consistent with your personality, and if you're going to be comfortable with this person."

The most important thing to remember during the consultation, when hiring an attorney, and throughout your case is to "trust your instincts," says Boyle. "If something doesn't feel right, it's probably not." □



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