

Getting Real About Lawyers

Client Rights & Responsibilities

Unfortunately, most people get their education about lawyers in two ways. First is from the popular media, which tends to present a distorted and sensationalized view of lawyers. Second is by being a first-time client. Learning about lawyers under either of these circumstances is far from ideal. So, this article is offered to help you, as a client or potential client, to make the most out of your relationship with your lawyer.

First, as a potential client, some of your concerns will be clear to your lawyer before you ever walk through their door. Every lawyer hears these questions daily: Do I have a good case? Will I win? Will the other guy pay? What will it cost? Each is an excellent question and deserving of a good answer. However, know now that not every question is capable of being answered immediately.

Next, when you hire a lawyer, it is because you have a problem. The lawyer is there to help you solve that problem. Even

though the lawyer agrees to help you, this does not mean that you do not have a role to play as well. You must help your lawyer to help you. Toward that end, as a good client you have rights and responsibilities. Your responsibilities include:

- Giving the lawyer a truthful and complete account of the facts of your case. This includes promptly getting to your lawyer all of the materials they request from you.
- Giving the lawyer prompt responses to reasonable and necessary requests.
- Understanding that the lawyer has many other clients and realizing that those clients are equally deserving of the lawyer's time and efforts.
- Treating the lawyer with courtesy and respect.
- Communicating in a timely manner with the lawyer (including about your case and your satisfaction or dissatisfaction with your lawyer's performance and billing).
- Refraining from asking the lawyer to

engage in behavior which is inappropriate, unethical, unprofessional, or illegal.

• And yes, paying the agreed-upon fees in a prompt manner.

In exchange for these responsibilities, you also get certain rights. These rights include that your lawyer:

- Will represent you diligently and ethically.
- Will be capable of handling your case.
- Will charge you a reasonable fee and tell you in writing the basis for that fee.
- Will keep statements and information which you reveal in the course of your relationship confidential.
- Will leave for you the ultimate decisions on the legitimate objectives to be pursued in your case, including deciding whether or not to settle.

- Will show you courtesy and respect.
- Will exercise independent professional judgment on your behalf, free from compromising influence.

Third, rights and responsibilities aside, it is too easy for clients to forget that lawyers are human too. Lawyers are not a breed apart and they work in one of the most stressful professions. So, when dealing with your lawyer, ask yourself how you would feel if YOU were the lawyer and someone else came to you with your problem and treated you the way you treat your lawyer. The key to a better and more rewarding relationship with your lawyer is to apply a little commonsense. So, here are a few additional tips that often get overlooked by clients

- Hiring a lawyer does not mean you automatically win your case. Lawyers cannot guarantee results.
- Legal fees are typically driven by the contentiousness (or litigiousness) of your opponent.
- Bad facts make bad cases.
- Pay your lawyer. Running a law practice is offensively expensive. Just like your family and your business, lawyers have families, employees, and employees' families who are dependent upon the income the lawyer generates.

Knowing these points in advance will make your case easier for your lawyer and for you. Hopefully, by properly applying these rules, you will have smaller legal bills and faster resolution of your issues.

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To be upset over what you don't have is to waste what you do have. —Ken Keyes, Jr.

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